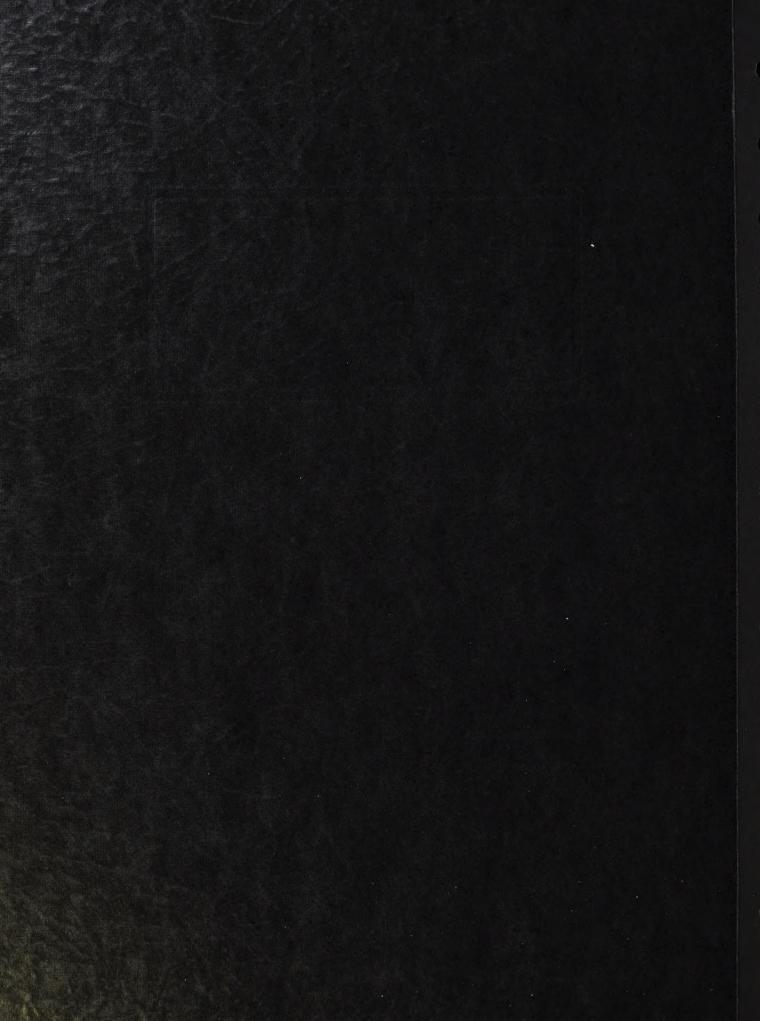
CAY ON HBL AOS C SIPY NOVEMBER 25, 1987-

URBAN/MUNICIPAL

CORPORATION OF THE CITY
OF HAMILTON

PLANNING AND DEVELOPMENT
COMMITTEE



K. E. AVERY



CITY HALL HAMILTON, ONTARIO LIN 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

CA4 ONHBLAOS CSIP4

1987 November 19

NOTICE OF MEETING

Planning and Development Committee Wednesday, 1987 November 25th 2:00 o'clock p.m. Room 233, City Hall

> Susan K. Reeder Acting Secretary

SKR:jf

AGENDA

- A. 2:00 o'clock p.m. Access Roads and Water Supplies New Home Construction Sites
- B. 2:15 o'clock p.m. Presentation Downtown Hamilton Action Plan, Phase IV (Moorhead, Fleming, Corban, McCarthy)
- C. 2:30 o'clock p.m. Presentation Downtown Hamilton Action Plan,
 Phase IV (S.M. Roscoe Inc. and Project Planning
 Ltd.)
 - 3:00 o'clock p.m. Zoning Application Public Meeting (See separate agenda)
- 1. Minutes of the meeting held Wednesday, 1987 November 11. (Copy to follow)

URBAN MUNICIPAL

NOV 20 100



2. Building Commissioner

- (a) Demolition Permit Application 174 Belview Avenue
- (b) Transfer of Funds Account No. 0344-0121 Office Supplies and Stationery

3. Director of Community Development

- (a) Barton General B.I.A. (Barton Street East #1), Proposed Budget and Schedule of Payments for 1988.
- (b) Application Commercial Facade Loan Programme

4. Director of Property

(a) Appeal - Cash Payment in Lieu of 5% Parkland Dedication - Arosa Properties Limited - Bayview Glen Estates - Phase I (Report to follow)

5. L.A.C.A.C.

- (a) Designation Church of Ascension 64 Forest Avenue (at John Street South)
- (b) Heritage Permit Application for Fire Escape Addition 107 George Street

6. Accessibility - Bruleville Park

- (a) Report Acting Secretary, Parks and Recreation Committee
- (b) Report Planning and Development Committee

7. Department of Planning and Development

- (a) Proposed Official Plan and Zoning Amendments Glanbrook
- (b) Ethnic Commercial Villages
- c) Advisory Committee High Density Residential Study

8. Department of Engineering

- (a) Parkland Dedication "Kenora Gardens" Report to follow
- (b) Parkland Dedication "Nash Orchard West" Report to follow

Digitized by the Internet Archive in 2025 with funding from Hamilton Public Library





THE CORPORATION OF THE CITY OF HAMILTON

FROM L. G. Saltman	sh & Title	DATE November 18, 1987	_
FOR ACTION X	FOR INFO	RMATION File No.	
TO: CITY COUNCIL	(OR)	Planning and Development Committee Committee	x

SUBJECT

Provision of access roads and water supplies for fire protection in areas containing new home construction sites

RECOMMENDATION

That the City Solicitor be authorized and directed to amend City of Hamilton Subdivision agreements by adding the following:

- a) that the Building Commissioner shall not issue a building permit before the Regional water supply for fire protection is available and operational and an access road acceptable to the City has been provided; and
- b) that the City Solicitor also be authorized and directed to draft a by-law confirming the above.

Notwithstanding the foregoing, the Building Commissioner may:

subject to receipt of certification from the subdividers professional engineer, issue building permits for construction occurring within 150m (500 feet) of an existing charged hydrant when an acceptable road providing access to within 90m (300 feet) of the construction site lot line is available.

NOTE: An acceptable road is a road which has on it an asphalt surface or a road which has been accepted by the Commissioner of Engineering as a road.

BACKGROUND

A recent \$10 million dollar fire in Markham, Ontario where more than 100 homes under construction were destroyed was just one of a series of such incidents which have occurred in the past 18 months where inadequate water supply was considered a major factor.

Subsequent to the Markham fire, the Hamilton Fire Department has been investigating the availability of water on new construction sites and we have determined that a serious water supply problem does exist in some areas.

It is our view that adoption of the recommendation contained herein would greatly reduce the potential for large loss fires to occur on construction sites.

It should be noted that the above referenced by-law would enable the Building Commissioner to refuse to issue a permit in accordance with provisions of the Ontario Building Code.

Staff have met with representatives of the Hamilton and District Homebuilders Association and the Association have indicated this recommendation is acceptable to them.

The Homebuilders Association would prefer the Building Commissioner to issue a building permit allowing construction up to the deck level. Staff cannot support this as there are not sufficient remedies available in the Building Code Act to ensure that all builders stop construction at the deck level. The suggestion was made to provide a substantial penalty clause in the subdivision agreement to assure compliance with the policy. This suggestion was not acceptable to the Homebuilders.

Secretary's Note

A Copy of the original resolution, which was referred back by City Council is herewith attached.

Susan K. Reeder Acting Secretary Section 20 of the Twentieth Report of the Planning and Development Committee adopted by City Council at its meeting on Tuesday, 1987 October 27.

- 20. (a) That the City Solicitor be authorized and directed to amend City of Hamilton Subdivision agreements by adding the following:
 - i) That the Building Commissioner shall not issue a building permit before the regional water supply for fire protection is available and operational and an access road acceptable to the City has been provided; and
 - ii) That the City Solicitor be authorized and directed to draft a by-law confirming the above.
 - (b) Notwithstanding the foregoing, the Building Commissioner may issue building permits for a maximum of six (6) model homes per Subdivision.
 - NOTE: A recent \$10 million dollar fire in Markham, Ontario where more than 100 homes under construction were destroyed was just one of a series of such incidents which have occurred in the past 18 months where inadequate water supply was considered a major factor.

Subsequent to the Markham fire, the Hamilton Fire Department has been investigating the availability of water on new construction sites, and have determined that a serious water supply problem does exist in some areas.

It is the view of the Fire Department that adoption of this recommendation would greatly reduce the potential for large loss fires occuring on construction sites.

It should be noted that the above referenced by-law would enable the Building Commissioner to refuse to issue a permit in accordance with provisions of the Ontario Building Code.

Staff have met with representatives of the Hamilton and District Home Builders Association and discussed various alternative methods of dealing with this situation.

Alternatives considered included:

- a) permitting 10% of new homes to be completed without water and roads
- allowing construction within 400 feet of an existing charged hydrant
- c) permitting construction to proceed to the sub-floor
- d) requiring every sixth house to be bricked in to act as a fire break prior to proceeding with the framing for additional houses.

While it is recognized that all or most of the alternatives are feasible, these proposals were rejected on the basis that they are much more difficult to administer and would necessitate the acquisition of additional staff.

THE RESERVE OF RESERVE THE PROPERTY OF THE PARTY OF THE P the region was it is not all the basis of his billion

B.

FROM	Mr. E. W. Kowalski, Director, Community Development	DATE 1987 November 19
TO .	Planning and Development Committee	Refer To File No. 800-0602.4
		Attention Of
		Your File No.

SUBJECT

Downtown Hamilton Action Plan; Phase IV: Stage III; Approval for Jarvis Street Parking Lot Landscape Plan

RECOMMENDATION

- (i) That the Planning and Development Committee approve of the concept design of Phase IV, Stage III, Downtown Hamilton Action Plan for the Jarvis Street Parking Lot, (Schedule 'A').
- (ii) That, Moorhead Fleming Corban McCarthy, be authorized to proceed with the finalizing of working drawings and specifications ready for construction tender of the Jarvis Street Parking Lot Landscape Plan at an upset fee of twenty-eight thousand dollars (\$28,000.).

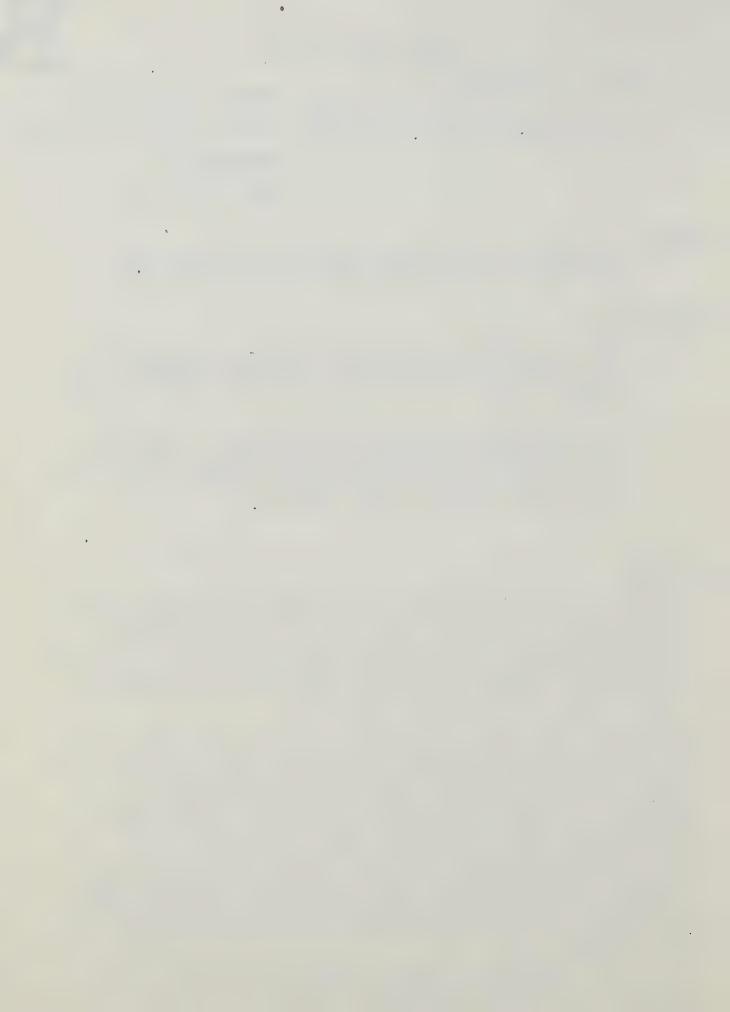
E. Kowalski

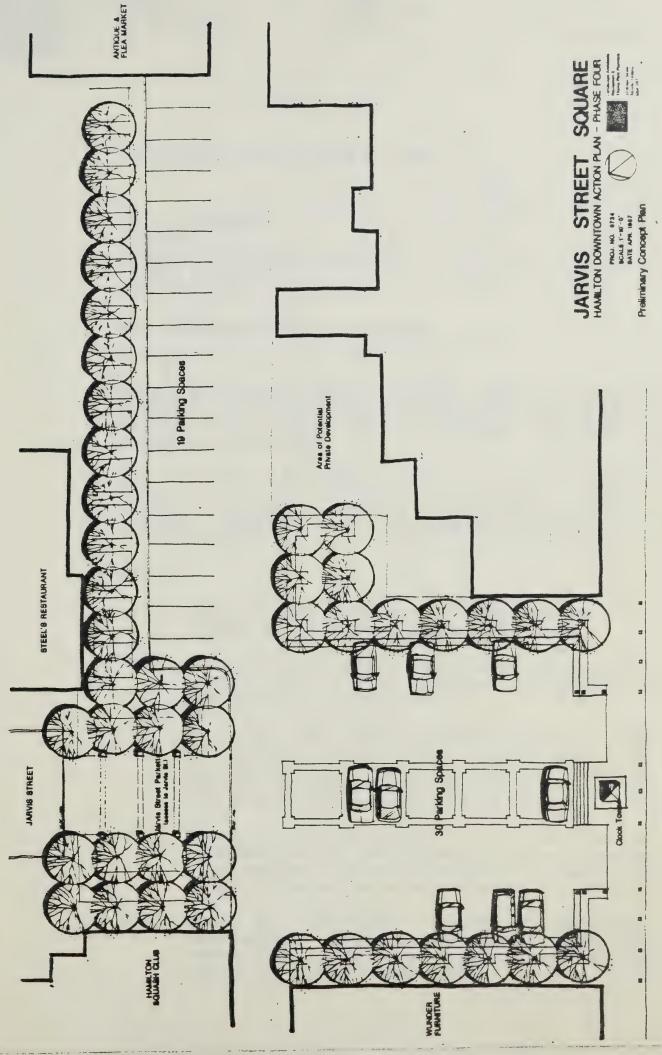
BACKGROUND

City Council, at its meeting held 1986 August 26, approved Section Twenty of the Sixteenth Report of the Planning and Development Committee, that recommended that the firm of Moorhead Fleming Corban McCarthy undertake a detailed study and analysis of Phase IV of the Downtown Hamilton Action Plan (D.H.A.P.). Phase IV pertains to the renewal of municipal infrastructure within the D.H.A.P. area; surface renewal and illumination of alleyways and service lanes within the entire area.

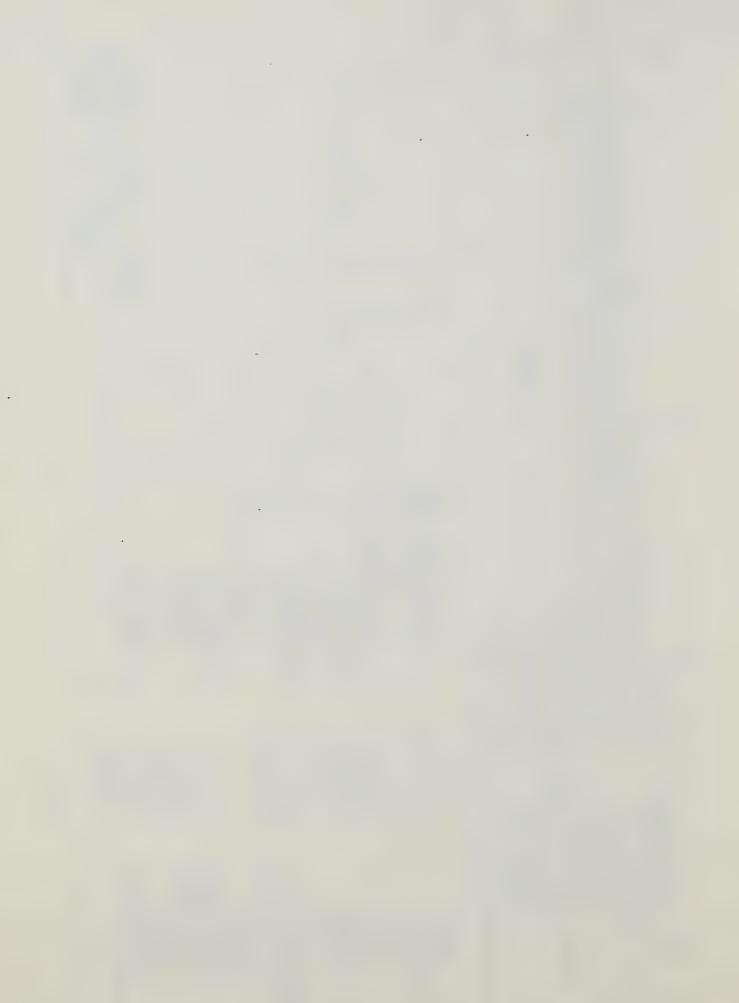
Schedule 'B' outlines the stages of this phase, and to date the Planning and Development Committee and City Council have approved of Stages I and II. The above recommendation pertains to a portion of Stage III, which would permit the Consultants to provide detail implementation drawings, specifications and tender documents. At its meeting of 1987 October 29, the Downtown Hamiton Action Plan Co-ordinating Committee approved of the concept plan for the Jarvis Street Parking Lot, and that the firm of Moorhead Fleming Corban McCarthy proceed to Stage III as it pertains to the Jarvis Street Lot. The Downtown Hamilton Action Plan Co-ordinating Committee recommended, that the Consultants will consult with the Parking Authority on detailed matters after the Planning and Development Committee had approved of this recommendation.

Schedule 'C' outlines the Approach, Finalize Design and Construction Documents respecting the above.





KING STREET EAST



June 19, 1986 (revised June 27, 1986)

Mr. E. W. Kowalski
Director
Community Development Department
71 Main St. West
Hamilton, Ontario

Re: Downtown Action Plan - Phase IV

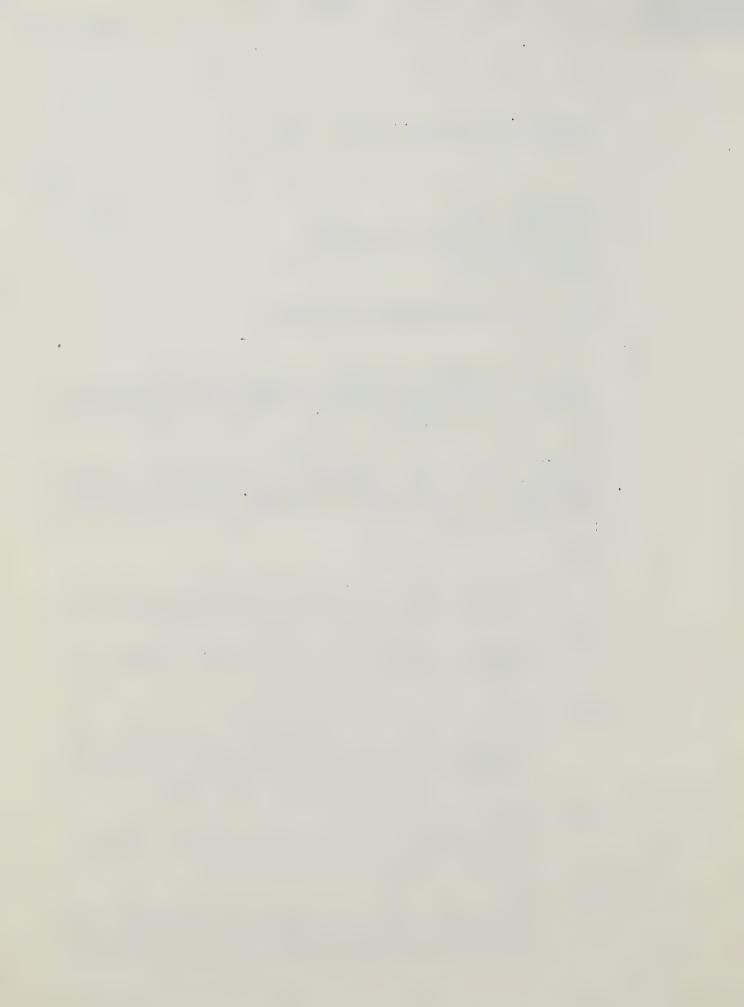
Dear Ed:

Related to our meeting with the Downtown Action Plan Committee on June 11, 1986, the following is a detailed breakdown of our approach to the project based on the comments and concerns expressed at the meeting.

The objectives of this final portion of the entire Downtown Action project are difficult to clarify in detail. Accordingly, we propose a phased approach to the project with subsequent phases dependent on the Committee's acceptance of the preceding phase.

STAGE I

- (a) Detailed review of the Phase IV recommendations in the original Du Toit Downtown Action Plan Study.
- (b) Thorough on site review, photographic coverage and physical inventory of all alleyways, service lanes and parking lots in the study area.
- Review of other similar situations within the study area not specifically indicated in the Du Toit Study as well as directly adjacent situations which may be important for continuity but which technically do not fall within the Downtown Action Plan Boundary.
- (d) Review the implications of the City of Hamilton undertaking work in the alleyways and edges of parking areas related to the obvious necessity of undertaking aspects of the work on private property.
- (e) Review the above implications with all appropriate departments of the City of Hamilton to ascertain the various feelings, criteria and regulations concerning feasibility of such proposed work.





- (f) Generally, undertake a ranking of the alleyway, service lane and parking lot areas based on the proceeding and ranked according to such consideration as:
 - Shear physical possibility to undertake any work (width, projections, utility poles, overhangs, etc.).

. 7 3

- Degree of existing and future vehicular service requirement.
- iii. Impact and potential of pedestrian circulation.
- iv. Potential of possible retail relationships to given alleyway situations.
- V. Actual ability to screen and improve appearance of parking lots under consideration.
- (g) Present the above ranking to the Downtown Action Plan Committee and other interested Council Members and staff to mutually assess the merit and feasibility of various concept ramifications.
- (h) Pepare sketch design proposals for the Project as as follows:
 - Actual design proposals for areas capable of receiving any treatment.
 - ii. Resolution of what is actually physically possible related to agreements such as work on private land.
 - iii. A clear overall assessment of the potential effects and expectations for the areas to be implemented, referenced to an overall master plan.
 - iv. Meet in conjunction with appropriate City staff and affected private owners to ascertain their attitudes and acceptance of the conceptual proposals.
 - V. With the results of the conceptual Master Plan Study and meetings with affected private property owners, we would present our final recommendation to the City for approval to proceed to Stage II.



(i) For this stage of the work, we would suggest a total for fee and expenses of \$25,500.00 and a study time of approximately 10 weeks.

*

STAGE II

- (a) Assuming approval to proceed, this stage would generally relate to detail refinement leading to overall acceptance of the project.
 - i. Establish priorities and ranking of proposed work to be undertaken.
 - ii. Develop logic for which areas should be implemented in 1987, with the remainder in 1988.
 - iii. Corelate construction cost estimates and available funds to proposed scope of work to be undertaken. Make adjustments to scope as required.
 - iv. Present, review and receive mandate of Downtown Action Plan Committee for design, scope, costs, phasing, etc.
 - v. Make presentation at a public meeting and evaluate comments received.
 - vi. If required, undertake a limited number (maximum 5) of meetings with public groups or individuals, organized by the City of Hamilton representatives.
- (b) Assuming this detail design portion of the project is accepted by the Committee and Council, we would proceed to Stage III.
- for this phase of the work we would suggest a total for fee and expenses of \$15,500 and a study period of 2 months (this is intended to allow time for scheduling of various meetings and the civic approval process.

STAGE III

(a) Assuming direction to proceed with this stage, we would essentially provide with detail implementation drawings, specifications and tender documents.



Assuming the scope of work, construction budgets and split phasing (1987 - 1988) is as now understood, we would suggest a total for fee and expenses of \$45,000.00.

STAGE IV

Supervision of the work would be discussed at the appropriate time and likely keyed to the work to be implemented at a given construction period.

Although brief, the preceding description of proposed stages is intended to outline a step by step approach to the project with the intent to thoroughly agree and receive approval on the implications of each before proceeding to the next. As mutually discussed, this phase will obviously be difficult to achieve related to already apparent complications. As your proposed consultants, we will require as clear a decision making process as possible and hopefully an individual contact person who will provide coordination and help with the whole question of private/public construction and approvals as well as assisting with the organization, approval, presentations, and staging required.

Please contact me if I can be of further assistance and I would be pleased to comment on or clarify the specific intent of this proposal.

Yours very tryly,

MOORHEAD FLEWING CORBAN MCCARTHY

Steven Moorhead

SM/ss

Mr. E. Kowalski, Direc or Department of Communit Development City of Hamilton 71 Main Street West Hamilton, Ontario L8N 3T4

Downtown Action P in; Phase IV; Stage III - Jarvi Street Lot Improvements

Dear Mr. Kowalski:

all aspects of Phase I .

Phase IV of the Downt in Action Plan has travelled a lengthy and complicated path o ir this last year. Many issues beyond scope of work were raised and are now being clearly resolved by the City. We are pleased to have been a part of this process and feel hat the Committee has dealt wisely with

Through the previou stages of this three specific areas:

phase. improvements relating to D.A.P. funds have been broken into

- lighting of lan ways

- landscaped media is on three specific blocks

- improvements to the Jarvis Street Parking Lot

the Jarvis Street Lot.

At this point, each of these components is at a different level of development. The Jarvis Street Lot improvements are currently ready to proceed to finalizing of design and construction documentation. Enclosed is a breakdown of our approach, work tasks involved, fees and expenses relative to the development of a tender package for the improvements to

Approach

continue into this next stage of work.

Moorhead Fleming Corl n McCarthy's approach towards this project will be one of committment, communication programatism. The co-cept design for the Jarvis Street Lot improvements has beer established through meetings with the International Village B.I.A., the Parking Authority, Downtown Action Plan Committee, the Department of Traffic, and adjacent private landor ers. We have made ourselves available for any meetings recested and will continue to do so to acheive the best re-olution of the design development possible. The involvement of all the above parties will

Finalize Design

Prior to actual drafting of working drawings, the detail development will be specific as to exact locations of elements, materials and dimensions. The necessity of obtaining specific input from the Parking Authority, the Department of Traffic, and possible others, will require substantial co-ordination at this level of design implementation.

Specific design of elements such as the proposed clock tower in the parking lot will require agreement in principle from the International Village B.I.A. and adjacent landowners.

Construction Documents

Construction documents will be full tender documents. MFCM will prepare all necessary layout, grading, planting and specialty item drawings to the requirements of the City of Hamilon. MFCM will prepare all construction details, materials, schedules, specifications and tender documents.

Fees

The estimated cost of construction of the parking lot improvements is \$440,000 ±. The concept design in place is the basis for our work in this stage. Finalizing the design and all attendant co-ordination required is anticipated to be \$6,400. Production of tender documents will be \$19,600. Expenses for travel, long distance calls, couriers and reproduction costs, etc. are estimated at \$1,500. These are upset allowances totalling \$28,000. As per previous contracts, time and expenses spent will be billed monthly against the upset fee.

For your information, the current hourly corporate billing rates are as follows:

\$75.00/hour Senior Partner (B. Corban) \$55.00/hour Senior Landscape Architect (A. Won, D. Euser) \$45.00/hour Junior Lnadscape Architect (D. Drapiza) Please contact me if you have further questions or require more detail at this time.

We look forward to proceeding with this work.

Yours very truly,

MOORHEAD FLEMING CORBAN MCCARTHY

Antonia Won

AW/jta

C.

	Mr. E. W. Kowalski, Director Community Development Department	DATE 1987 November 13
TO	Planning & Development Committee	Refer To File No. 800-0602.5
		Attention Of
		Your File No.

SUBJECT

The Phase V extension to the Downtown Hamilton Action Plan; James Street North Streetscape Design

RECOMMENDATION

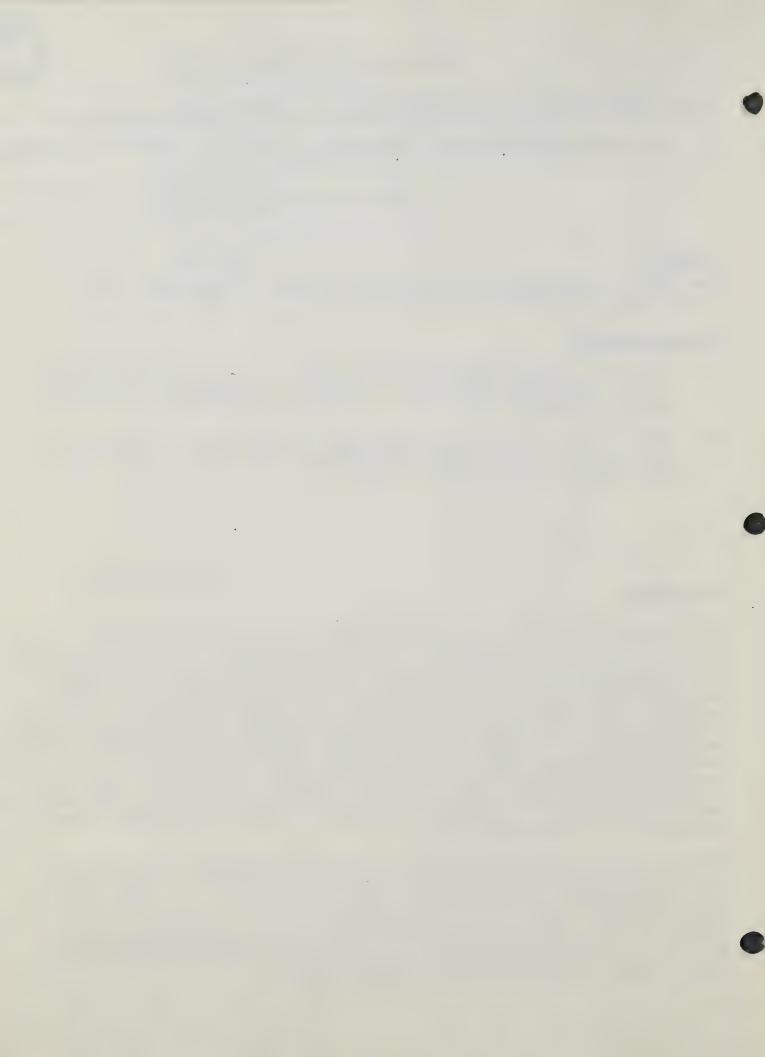
- i) That, the Streetscape Design for Phase V of the Downtown Hamilton Action Plan presented by S. M. Roscoe Inc. and Project Planning Ltd. be approved; and
- ii) That, S. M. Roscoe Inc. and Project Planning Ltd. be authorized to continue with the detailed drawings, contract document and specification preparation of Phase V.

BACKGROUND

E. Lowelike

On 1986 October 14 City Council adopted item #12 of the 21st Report of the Planning and Development Committee, appointing S. M. Roscoe Inc. and Project Planning Ltd. jointly to carry out the design, contract document and specification preparation up to construction tender of the James Street North Streetscape Improvements from Vine Street to the C.N.R. mailine. Since that time, the consultants appeared before this Committee with three (3) conceptual design options of which, option #1 was received on 1987 March 11. This concept, allowing for sidewalk widenings (roadway narrowings) on both sides of James Street North from the C.N.R. up to Cannon Street and widenings on the east side of James Street only, from Cannon to Vîne Streets, was endorsed by the Engineering Services Committee, on 1987 October 15. Subsequently, on 1987 October 20, Regional Council approved this recommendation also.

Today's presentation will hopefully give the Committee members a clear picture about what the design will look like and give the Consultants the authorization to continue with the detailed work. A public meeting of the Planning and Development Committee has been scheduled for 1987 December 07 at 7:00 p.m. to give the citizens the same presentation. Previous public meetings throughout the design process have been held in order to involve the public but this will be the last official public meeting prior to project implementation.



2a-

FOR ACTION

FROM	P. KUPPE,	BUILDING COMM	ISSIONER	DATE Nove	ember 19, 1987
TO THE	PLANNING	& DEVELOPMENT	COMMITTEE	Refer To I	Pile No.
				Attention	Of
				Your File	No.

SUBJECT

DEMOLITION

RECOMMENDATION

THAT THE BUILDING COMMISSIONER BE AUTHORIZED TO ISSUE DEMOLITION PERMITS FOR THE DEMOLITION OF THE RESIDENTIAL BUILDING AS LISTED BELOW.

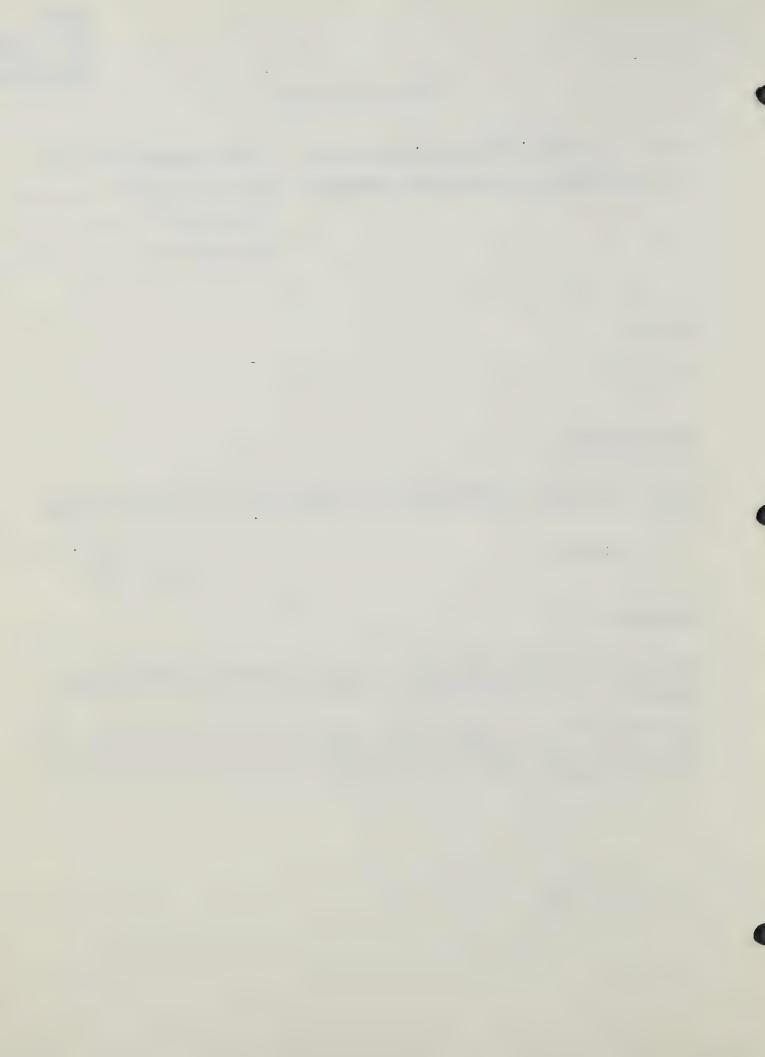
1. 174 BELVIEW

BACKGROUND

DEMOLITION CONTROL CATEGORY "B" - NO IMMEDIATE REDEVELOPMENT IS PROPOSED BUT IT IS UNECONOMICAL TO MAINTAIN THE EXISTING RESIDENTIAL PROPERTY.

THE PRESENT USE IS A SINGLE FAMILY DWELLING IN A "D" ZONE WITH A LOT SIZE OF 35' \times 100'. THE PROPOSED USE IS TO BE LEFT VACANT FOR THE FUTURE CROWN POINT WEST PARK DEVELOPMENT. THE FUTURE OWNER WILL BE THE CITY OF HAMILTON

c.c. - E. Kowalski



2b.

FROM	Mr. P. Kuppe, P. Eng., Building Commissioner Department of Buildings.	DATE 1987. November 17th.
TO	Planning and Development Committee.	Refer To File No. 87.5.10
		Attention Of F.S. Reynolds
		Your File No.

SUBJECT

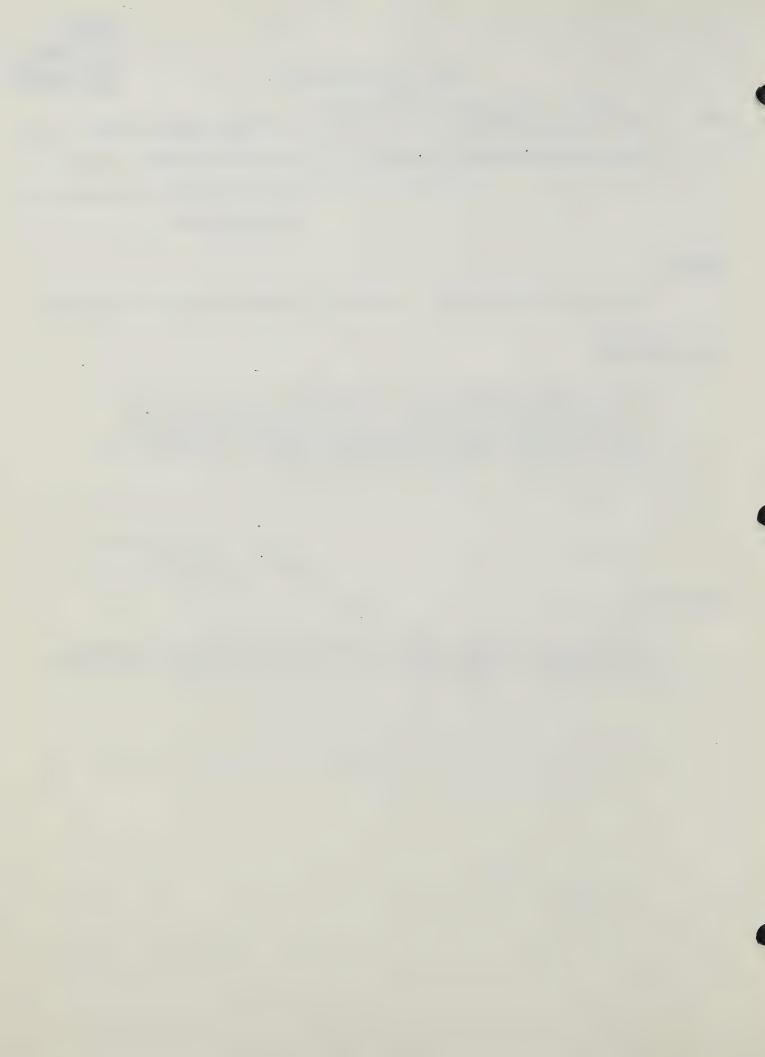
Department of Buildings Acct. # 0344-01-21 - Office Supplies and Stationery.

RECOMMENDATION

That the amount of \$ 4,900.00 be transferred to Acct. # 0344-01-21 (Office Supplies and Stationery) from the accumulative total of the overall surplus remaining in the Department of Buildings 1987 Budget. This will eliminate the present overdraft, and, prevent any further overdraft at the end of the current year.

BACKGROUND

October 30th, 1987, the "Budget Expenditures Account Balances" issued by the Treasury Department indicated an overdraft in the above-noted account in the amount of \$ 3,065.94.



30.

FROM	Mr. E. W. Kowalski, Director, Community Development	DATE 1987 November 19
то	Planning and Development Committee	Refer To File No. 800-0014.12
		Attention Of
		Your File No

SUBJECT

Barton General Business Improvement Area (Barton Street East #1), Proposed Budget and Schedule of Payments 1988.

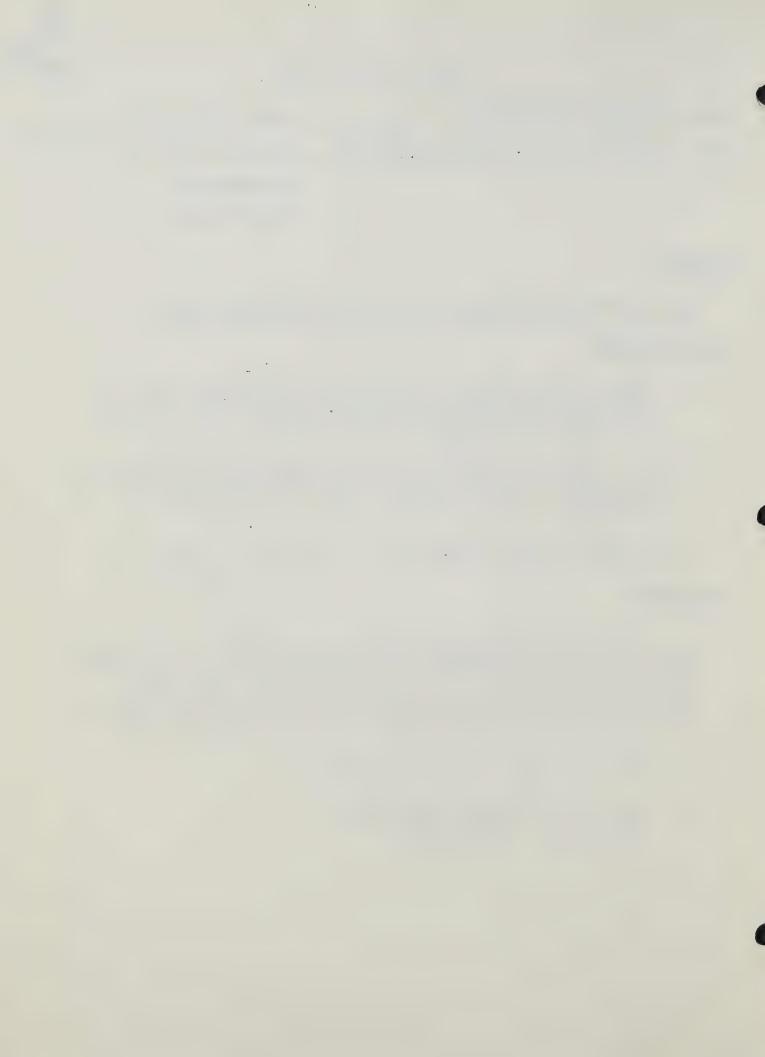
RECOMMENDATION

- i) That, in accordance with Schedule 'A', appended hereto, the 1988 operating budget of the Barton General Business Improvement Area be approved in the amount of six thousand dollars (\$6,000.00); and,
- ii) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1988 budget as referenced in (i) above; and,
- iii) That the schedule of payments for 1988 be as follows: February 01, \$6,000.00.

BACKGROUND

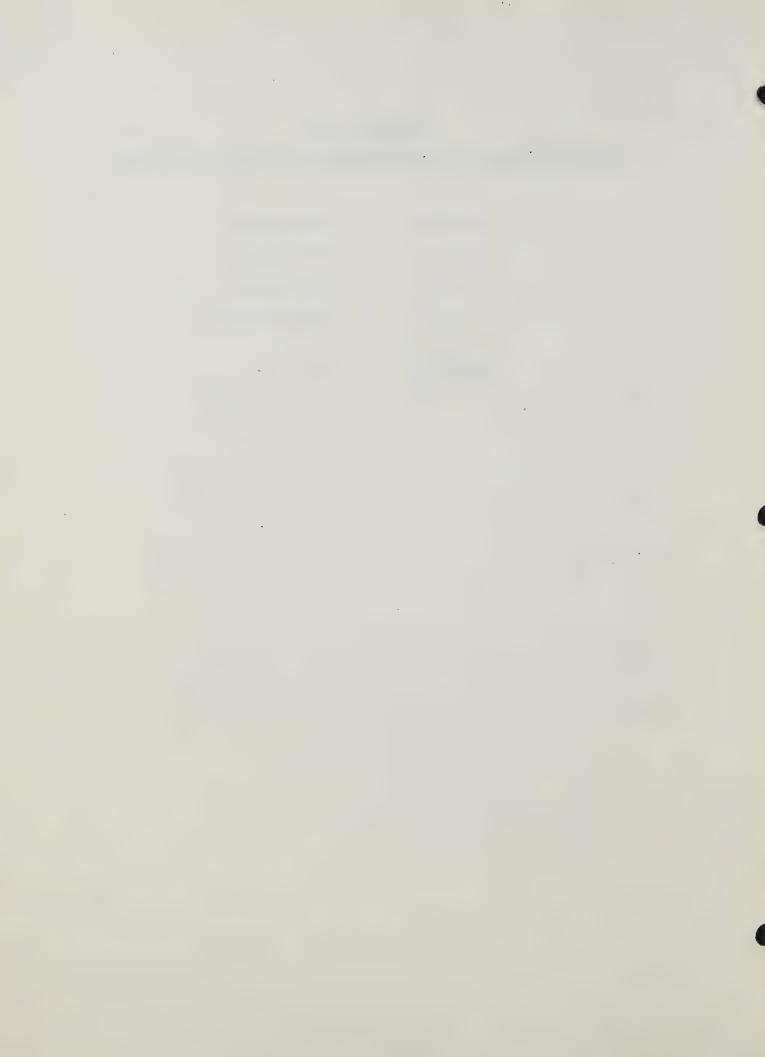
At a general membership meeting held 1987 November 11, the Barton General Business Improvement Area (Barton Street East #1) budget for 1988 in the amount of six thousand dollars (\$6,000.00) of which fifteen percent (15%), seven hundred and fifty dollars (\$750.) has been set aside for uncollectible levies was voted on and approved unanimously by twenty-four (24) members present.

- c.c. Mr. P. M. Eker, Acting City Solicitor
- c.c. Mr. E. C. Matthews, Treasurer Att: Mr. D. Goodman, Assistant Supervisor - Business Tax



SCHEDULE 'A' BARTON GENERAL BUSINESS IMPROVEMENT AREA 1988 BUDGET

\$6,000.00		TOTAL
\$ 250.00	-	Miscellaneous
\$ 750.00	-	Contingency
\$1,000.00	***	Secretarial
\$4,000.00	-	Advertising



3b.

FROM	Department of Community Development	DATE 1987 November 11
TO	Planning and Development Committee	Refer To File No. Facade #31
		Attention Of
		Your File No.

SUBJECT

Commercial Facade Loan Programme

RECOMMENDATION

That a Commercial Facade Loan in the amount of \$10,000. be approved for Patrick Marzilli of 1041 King Street West. The interest rate will be 4.5 percent, amortized over 10 years.

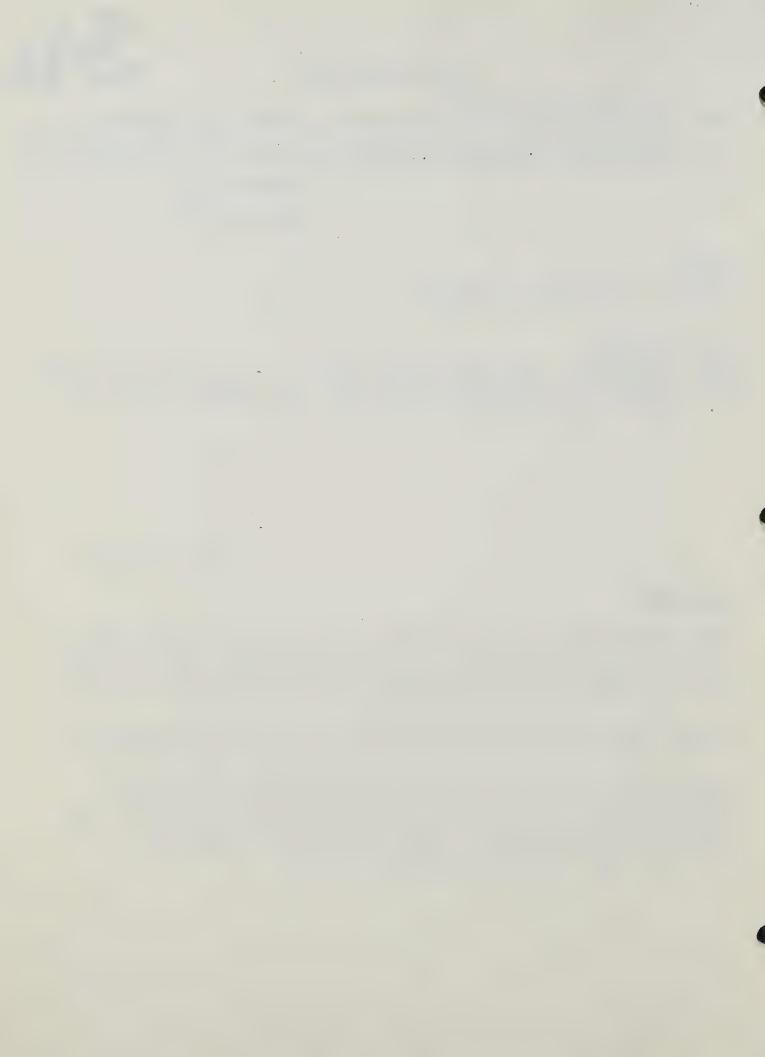
E. Lowalche

BACKGROUND

The owner of 1041 King Street West has applied for assistance under the City of Hamilton's Commercial Facade Loan Programme. As per the terms of the Programme, the Building Department has inspected the property as per the Property Standards By-law 74-74, and the necessary repairs have been included in the contract price.

The Westdale Village B.I.A. have reviewed the plans and have approved the work which is to be undertaken by the owner, Patrick Marzilli.

The Department of Community Development, therefore, recommends the approval of a Commercial Facade Loan to Mr. Patrick Marzilli for improvements to 1041 King Street West in the amount of \$10,000. The loan will be amortized over a ten year period at 4.5 percent interest. The monthly payments will be \$103.66, and will be secured by a Promissory Note and a Lien registered on Title.



FROM	Mrs. L. Peddle - Secretary - L.A.C.A.C.	DATE 1987, November 10
TO	Planning and Development Committee	Refer To File No.
		Attention Of
		Your File No.

SUBJECT

Designation of the Church of the Ascension, 64 Forest Avenue (at John Street South).

RECOMMENDATION

- a) That approval be given to the "Intent to Designate" the property of the Church of the Ascension at 64 Forest Avenue as a building of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.
- b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

Note: The Church of the Ascension has requested designation.

BACKGROUND

L.A.C.A.C. gave preliminary approval for the designation of this property at its last meeting, September 10, 1987.

Reasons for Designation and planning background are attached.

c.c. Mrs. D. Dent, Chairman
 Mr. V. Abraham, Planning Department
 Mrs. N. Chapple, Planning Department

REASONS FOR DESIGNATION

The Church of the Ascension

64 Forest Avenue

The Church of the Ascension, located at the corner of John Street South and Forest Avenue, is one of Hamilton's outstanding nineteenth century churches. The original Gothic Revival structure was designed by the firm, Cumberland and Ridout, and built in 1850-51 of local limestone.

The Church was consecrated in 1875, shortly after the spire and gable-end pinnacles were added. Following a fire which gutted the church in 1887, the interior was rebuilt and the present chancel added. The church interior has since undergone numerous minor alterations. On the exterior, both original porches on the north and south transepts have been altered and an entrance vestibule facing Forest Avenue added on the west facade.

The present church complex incorporates a number of linked structures enclosing a secluded courtyard. Of particular interest are the two stone Sunday School buildings: the first designed by a prominent Hamilton architect, Frederick Rastrick, and built in 1872, and the second designed by local architect Charles Mills and built in 1901.

With its corner tower, soaring spire and gently sloping site, the Church of the Ascension has a commanding presence on John Street South. Since the completion of its spire, this church has been a prominent landmark in the south-central part of the City and today provides a dramatic focal point for two surviving clusters of 19th century houses to the east on John Street South and to the west between Forest and Charlton Avenues.

The Church of the Ascension is historically important as Hamilton's second Anglican Church and first permanent stone structure built to house an Anglican congregation. The first meeting was held in 1847 in the coach-house of Miles O'Reilly, Chief Judge of the Gore District Court from 1837 to 1854. The site for the present church was donated by Richard Juson, a successful Hamilton merchant who was the largest contributor to the new building.

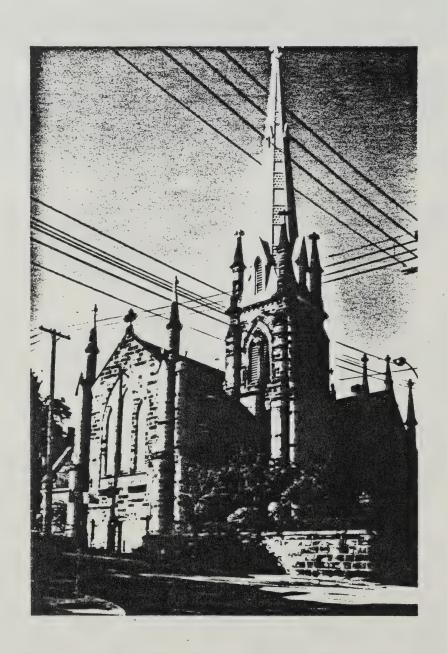
One of the City's best examples of a mid-19th century Gothic Revival church, the Church of the Ascension is both unusual for the corner positioning of its bell tower and striking for its vigorous detail and strong vertical lines achieved by the tall spire and heavy buttresses culminating in dominant pinnacles. The church is also architecturally significant as a major work of one of Canada's leading 19th century architects, Frederick W. Cumberland, who designed St. James Anglican Cathedral (1850-53) and University College (1856-58) in Toronto as well as the Central Public School in Hamilton (1853).

Important to the preservation of the Church of the Ascension complex are:

- 1. the exterior facades and roofs of the entire building complex including the stone masonry walls, buttresses, pinnacles, and carved stone decoration, the spire, the pointed-arch, trefoil and rose windows, and the doorways;
- 2. the interior of the original church (nave, transept and chancel) including the three wooden galleries, the wood panelling, the stained glass windows and the open timberwork ceiling;
- the courtyard;
- 4. the stone wall along John Street and Charlton Avenue and the wrought iron railing.

N.C.:nd





5b.

FROM	Mrs. L. Peddle - Secretary - L.A.C.A.C.	DATE 1987, November 10
TO	Planning and Development Committee	Refer To File No.
		Attention Of
		Your File No.

SUBJECT

107 George Street - Heritage Permit Application for Fire Escape Addition

RECOMMENDATION

That approval be given for a Heritage Permit Application for a Fire Escape Addition to the third floor on the east side of 107 George Street, Hamilton - a designated building.

Note: The owner requires permission from City Council to make any alterations or additions to the designated east, west and north facades.

BACKGROUND

L.A.C.A.C., at its meeting held 1987, November 05, approved the above recommendation.



FROM	L. Peddle, Acting Secretary Parks and Recreation Committee	1987 November 18
то	Planning and Development Committee	_ Refer To File No
		Attention Of
		Your File No.

SUBJECT

RECOMMENDATION

That the Planning and Development Committee, with input from all pertinent staff, review the accessibility to Bruleville Park.

L. Peddle, Acting Secretary

BACKGROUND

The Parks and Recreation Committee at its meeting held 1987 November 17 received a delegation of citizens with conflicting view points on access to Bruleville Park. The 2 view points presented to the Committee were:

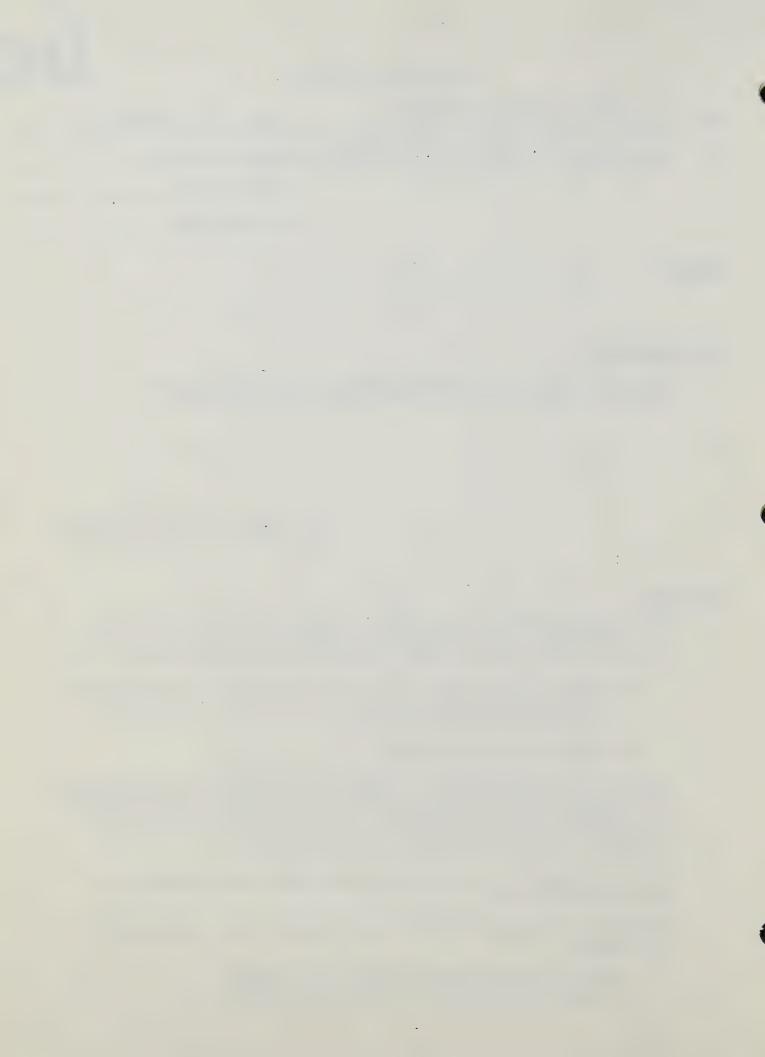
- a) Re-open the park access at the top of Peacock Place which was fenced off following City Council approval of 1985 July 30 (by way of a Planning and Development report).
- b) Keep the park access closed.

During debate on this matter, the Committee was made aware of what appears to be inconsistencies in normal procedure as it pertains to notification of area residents prior to Committee and Council approval on matters related to Neighbourhood Planning and also, on consultation with the Parks and Recreation Committee on matters pertaining to parks.

It was also pointed out that the City has a policy which endorses free access to public parks.

The Parks and Recreation Committee secretary has on file two petitions on this matter:

- 103 names requesting that the access be re-opened.
- 77 names requesting that the access remain closed.



FROM: Planning and Development Department DATE: November 18, 1987

TO: Planning and Development Committee File No.: P5-2-16

Attention Of: V. J. Abraham

SUBJECT

Pedestrian Circulation Bruleville Neighbourhood

RECOMMENDATION

That a public meeting be held to address pedestrian circulation in the Bruleville Neighbourhood.

V. J. Abraham, M.C.I.P.

Director of Local Planning

J. D. Thoms, M.C.I.P.

Commissioner

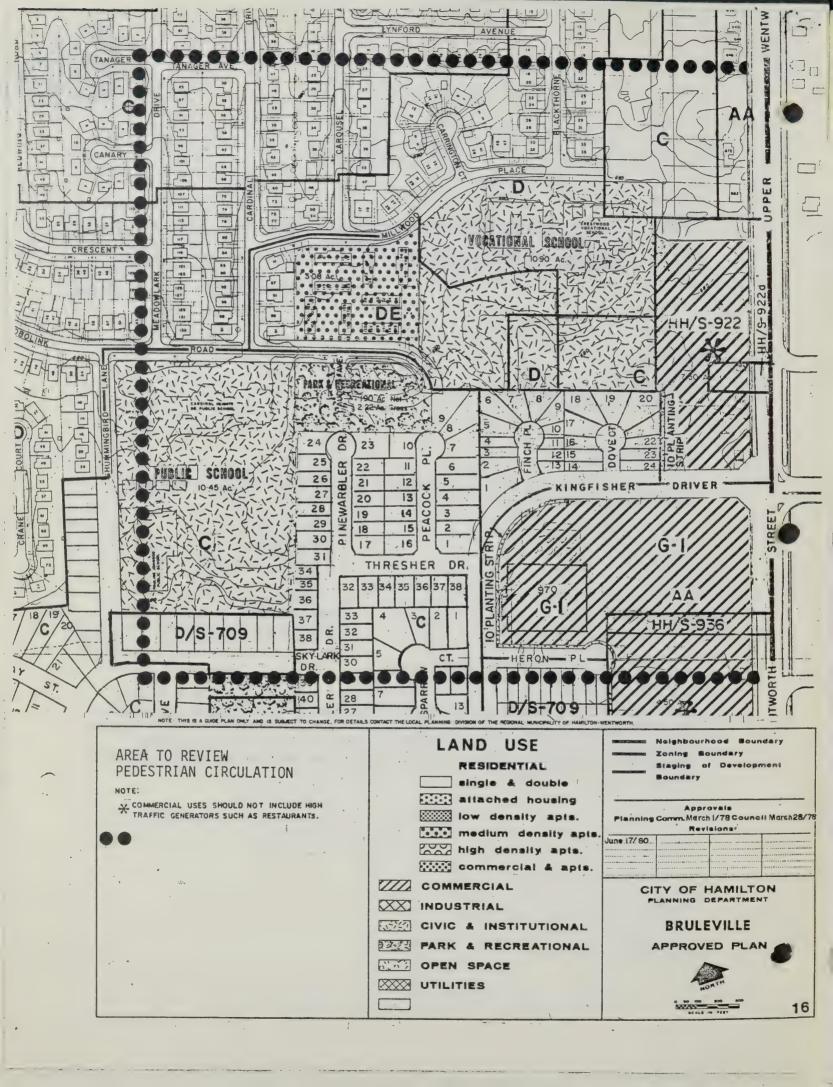
Planning and Development Department

EXPLANATORY NOTE

The Parks and Recreation Committee at their meeting on November 17, 1987, referred the issue of pedestrian circulation and particularly public access from Peacock Place to Bruleville Park to the Planning and Development Committee. A report is required with input from various departments and the general public affected.

DG/dkp

WP 0021P



7a.

FOR ACTION

FROM: Planning and Development Department DATE: November 18, 1987

TO: Planning and Development Committee REFER TO FILE NO: P7-3-3

Attention of: V. J. Abraham

SUBJECT

Proposed Official Plan and Zoning By-law Amendments--for the hydro corridor lands located immediately south of the City of Hamilton (Township of Glanbrook).

RECOMMENDATION

That the Planning and Development Committee recommend to City Council that the City of Hamilton not endorse the following proposed amendments for the hydro corridor lands located immediately south of the City of Hamilton boundary, as shown on the attached map marked as APPENDIX "A":

- (a) To redesignate the subject lands in the Township of Glanbrook Official Plan from "Agriculture" to "Airport Related Commercial"; and,
- (b) To amend the Township of Glanbrook Zoning By-law by rezoning the subject lands from "A" (Agricultural) District to an airport related commercial zoning category

for the following reason:

Mahan

The hydro corridor acts as a buffer between the established and abutting residential areas in the City of Hamilton and the proposed commercial uses located south of the hydro corridor in Glanbrook. From a planning perspective, it is preferable to retain this buffer zone, in order to maintain land use compatability.

V. J. Abraham, M.C.I.P. Director of Local Planning J. D. Thoms, M.C.I.P. Commissioner Planning and Development

BACKGROUND

The Planning and Development Department received correspondence from the Township of Glanbrook requesting the City's comments on the proposed amendments.

The contents of the proposed amendments are to allow the development of the hydro corridors on both sides of Highway No. 6 for airport related commercial uses.

East Side of Highway No. 6

The lands proposed to be rezoned in Glanbrook have a frontage of 145 m (476 ft.), a depth of 228 m (750 ft.) and a total area of 8.1 ac. (3.3 ha).

A large portion of the lands north of the corridor (within Hamilton) abut the Mount Calvert Baptist Church (400 ft.) and the remainder of the lands are located adjacent to single-family detached dwellings.

West Side of Highway No. 6

The proposed area to be rezoned is somewhat larger than the lands on the east side of Highway No. 6. The lot frontage is 145 m (476 ft.), depth of 305 m (1,000 ft.) for a total area of 4.4 ha (10.9 ac.).

The land uses abutting the corridor to the north include a vacant commercial parcel of land approximately 250 ft. in depth and several large single-family detached dwelling lots.

Further, the approved Kennedy East Neighbourhood Plan designates the abutting city lands for commercial fronting on Upper James Street (to a depth of 250 ft.) and the rear for "single and double" housing.

COMMENTS

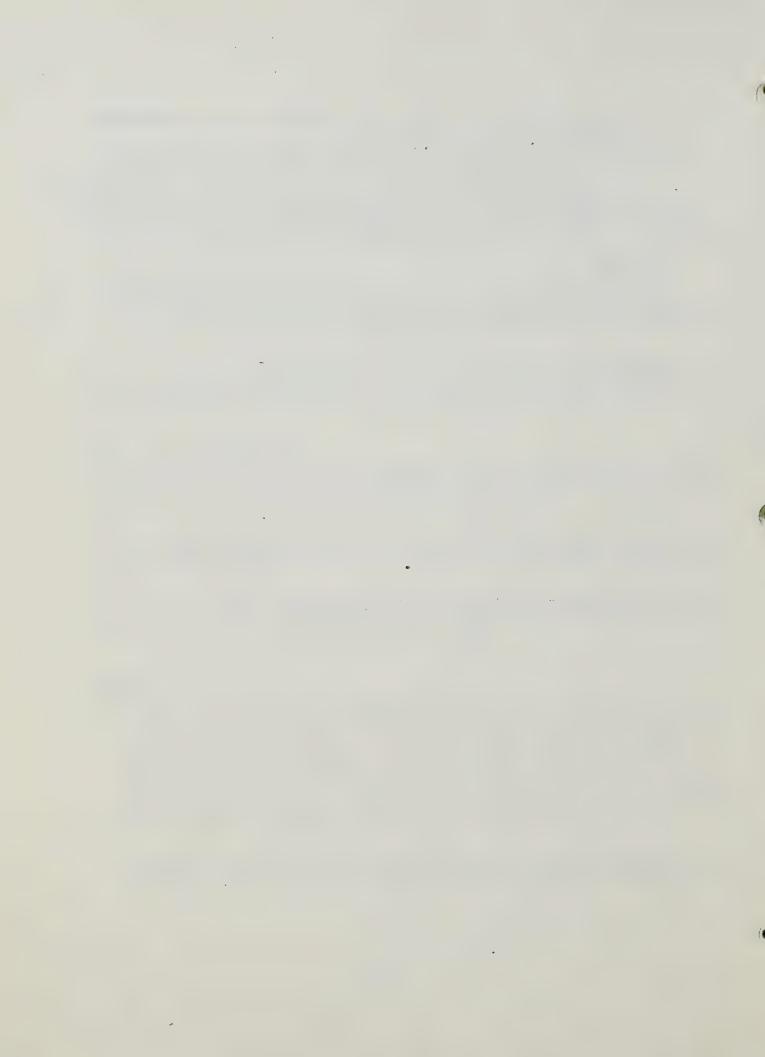
- 1) There is sufficient land available south of the hydro corridor fronting on Highway No. 6 for "Airport Related Commercial Uses" which are designated in the Glanbrook Official Plan. The Official Plan policies identify specific airport related uses which include hotels, restaurants, commercial storage facilities, gas stations, taxi terminals and financial institutions. However, the applicant has not identified the exact nature of the proposed commercial uses with the exception of a possible mini-warehousing facility.
- 2) An amendment to the Regional Official Plan is required to redesignate the lands from "Rural" to "Airport Related Commercial Uses" to permit this proposal.

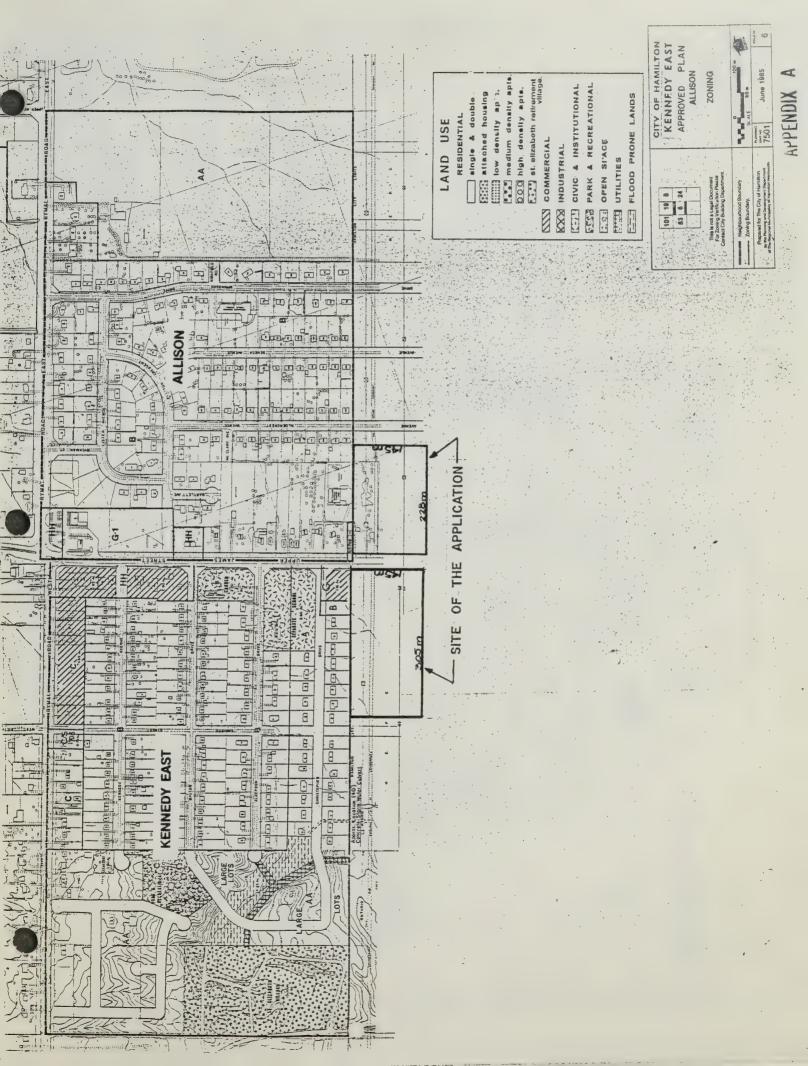
- 3) The development of the subject lands for commercial uses cannot be supported for the following reasons:
 - 1. The hydro corridor acts as a buffer between the established and abutting residential areas in the City of Hamilton and the proposed commercial uses located south of the hydro corridor in Glanbrook. From a planning perspective, it is preferable to retain this buffer zone, in order to maintain land use compatability.

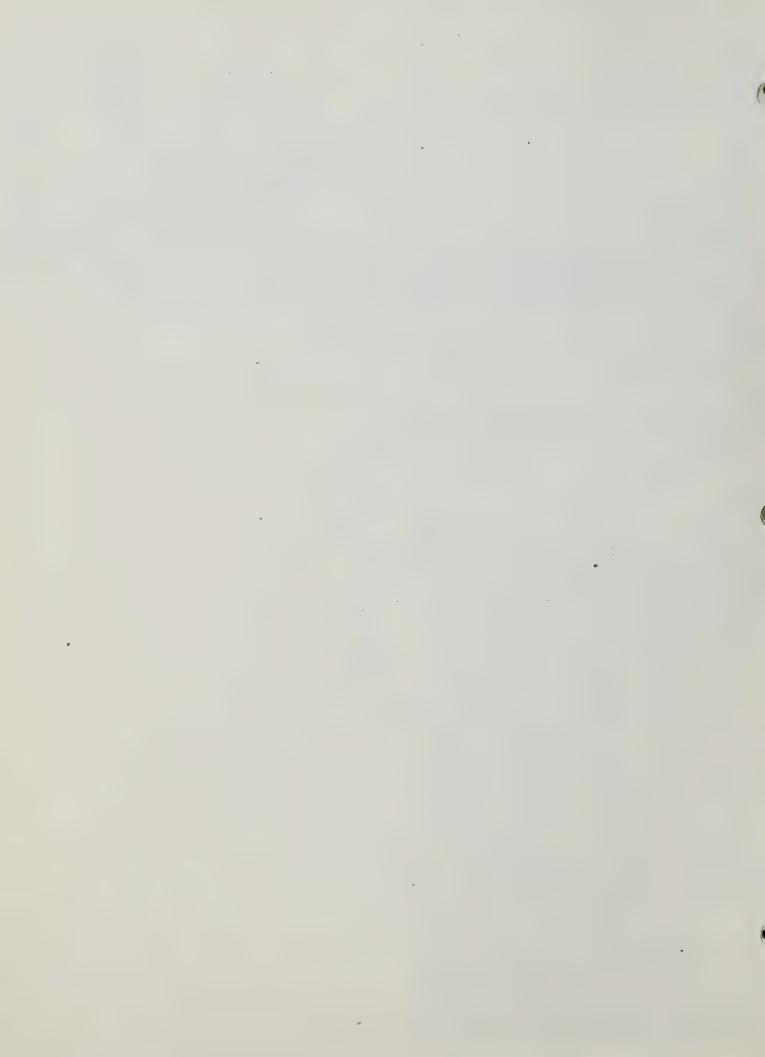
CONCLUSION

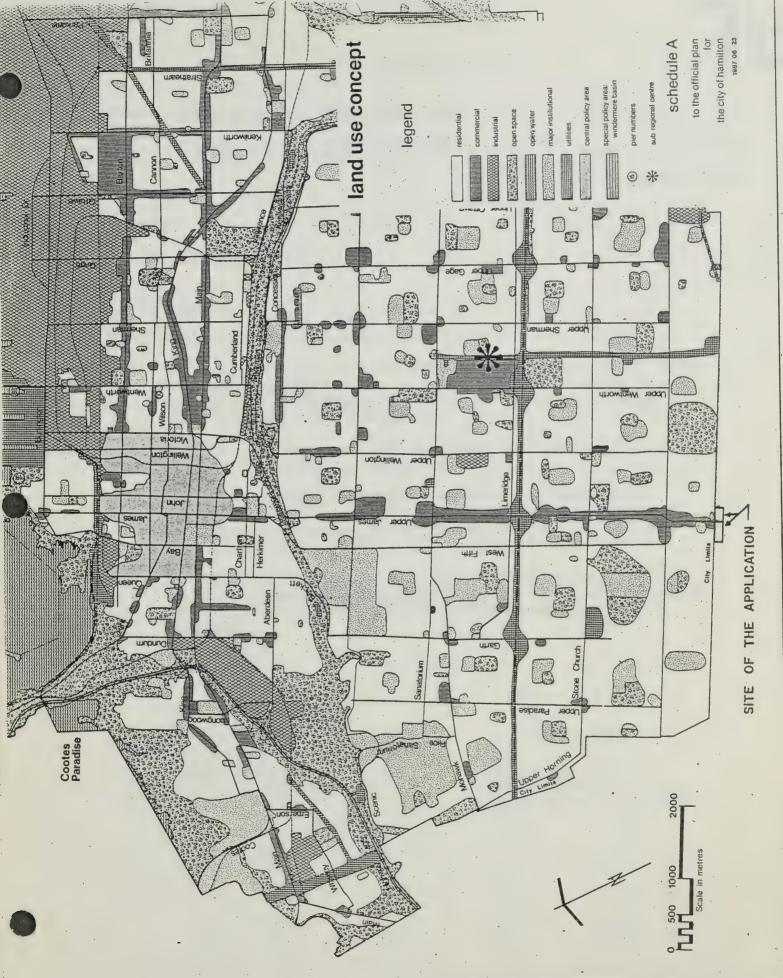
Based on the foregoing, the proposed amendments to the Glanbrook Official Plan and Zoned By-law cannot be supported.

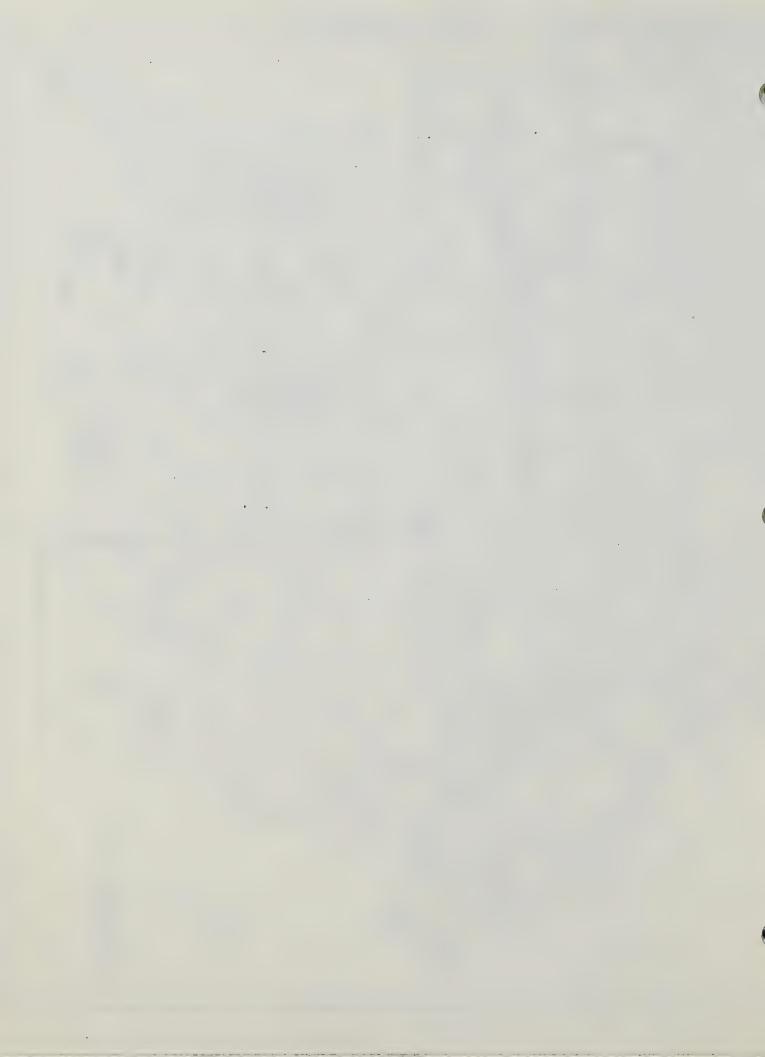
JH:CS Attach.











7b.

FROM: Planning and Development Department DATE: November 16, 1987

TO: Planning and Development Committee FILE NO.: P-5-4-37

ATTENTION: V. J. Abraham

SUBJECT

Ethnic Commercial Villages

RECOMMENDATION

That the Planning and Development Committee recommend to Council:

- i) That the Community Development Department use the ethnic population information in this report to assist Business Improvement Areas to capitalize on the promotional benefits of their ethnic businesses and surrounding ethnic populations;
- ii) That the Community Development Department continue to assist groups to establish Business Improvement Areas;
- iii) That the City, where requested by Business Improvement Areas, support and assist the establishment of programs with respect to architecture; street design; art; music; food and festivals to enhance and promote existing ethnic commercial areas; and,
- iv) That the City Clerk request the Regional Municipality of Hamilton-Wentworth to promote ethnic commercial villages as tourist attractions through the activities of the Economic Development Department.

V. J. Abraham, M.C.I.P. Director of Local Planning

Maham

J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development

EXPLANATORY NOTE

Ethnic commercial villages, that is, groups of commercial businesses serving ethnic groups, are located in a number of areas in the City. They are an important resource to the community that reflects the varied multi-cultural heritage of Hamilton. These existing "villages" should be enhanced and promoted through existing City and Regional programs, where requested by local merchants.

BACKGROUND

A request to investigate the feasibility of establishing international villages in the City of Hamilton was made at the Regional Economic Development and Planning Committee on February 10, 1986. This was endorsed by the Committee and staff was requested to report on the feasibility.

A similar request was made to the City of Hamilton Planning and Development Committee on February 12, 1986. The City's Committee requested the Local Planning Branch of the Regional Planning and Development Department to undertake the international village study.

This report examines the role of municipal involvement in the establishment of ethnic commercial villages.

OVERVIEW - ETHNIC CONCENTRATION

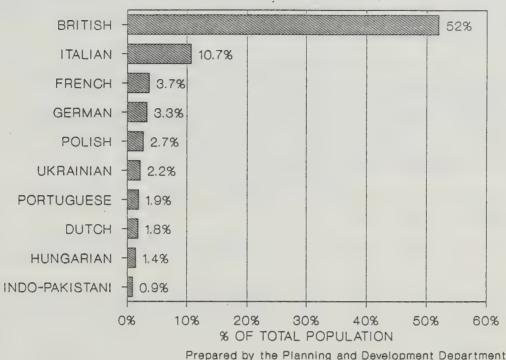
Historically, concentrations of ethnic populations occur when newly arriving immigrants choose to locate in areas of the city where their family, friends and ethnic serving businesses and associations are readily available. These support services provide a useful network that can assist immigrants in establishing themselves in the community.

Frequently these ethnic receiving areas are located in the central portion of the city where accommodation costs are lower and accessibility to goods, services and employment opportunities are highest.

In many cases, as the ethnic groups become established, they leave the ethnic receiving area for other parts of the city. Often their places are taken by other newly arriving ethnic groups.

Figure 1 and Figure Al in the Appendix show the ten largest ethnic groups in Hamilton. While Hamilton's ethnic character is largely British (52% in 1981), this dominance has declined considerably since 1951 (67%) (Figure 2). The ethnicity of the remainder of the City's population is very diverse with only one other ethnic group (Italian) comprising more than 4% of the total population.

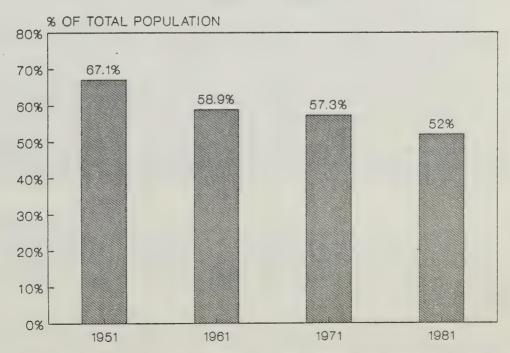
ETHNIC GROUPS IN HAMILTON - 1981



Prepared by the Planning and Development Department

Figure 2

% OF HAMILTON'S POPULATION WITH BRITISH ETHNICITY 1951 - 1981



Prepared by the Planning and Development Department

Maps Al to A6 in the Appendix illustrate the concentration of ethnic populations and community services of the six largest ethnic communities in Hamilton (excluding British).

In general, most of the ethnic communities have relatively widely dispersed populations. An exception is the Portuguese Community which is concentrated in the central area of the City. In addition, neighbourhoods in Hamilton are generally fairly homogeneous. The population of most neighbourhoods are usually composed of a large number of ethnic groups none of which (excluding British) compose the majority of the population in the neighbourhood.

The following observations can be made about the location of ethnic populations and ethnic community facilities in Hamilton:

- the Italian population is concentrated in the central portion of the lower city from Queen St. to Ottawa St., in the east end of the lower city, and in the central mountain area;
- the French population, which is concentrated in the lower City, is very dispersed due to the long length of residency in the City;
- the German population is centred in the south-west end of the lower city, although pockets of concentrations exist in a number of other locations of the City, reflecting this groups relatively long residence in the City;
- the Polish population is located in the central portion of the lower City between Wentworth St. and Ottawa St., and in the western portion of the lower City and mountain;
- the Ukranian population is concentrated in the south central area of the lower city between Sherman Ave. and Strathearn Ave., although other concentration exists in the central and western portions of the City; and,
- the Portuguese population is highly concentrated and is centred on the downtown area between Queen St. and Victoria St. which reflects their relatively recent arrival to the City.

Businesses serving specific ethnic groups are often concentrated in areas within or adjacent to ethnic population concentrations, but exclusive ethnic commercial shopping areas have not yet been established in the City.

Unlike some other cities, Hamilton does not have a "China Town" or "Little Italy". Instead, pockets of businesses serving a number of different ethnic groups ("ethnic commercial villages") have evolved in various areas of the City (for example: James Street North and Barton Street East).

BENEFITS AND DRAWBACKS OF ETHNIC COMMERCIAL VILLAGES

The promotion and improvement of existing ethnic commercial villages will provide a number of benefits to ethnic groups, commercial areas and the City as a whole, including:

- increasing public awareness of the local multi-cultural mosaic;
- creating stronger ties within the ethnic communities and between these communities and the broader community;
- providing an opportunity for citizens to participate and enjoy their own and other cultural heritages;
- providing marketing opportunities for commercial areas; and,
- revitalizing commercial areas.

However, there are a number of drawbacks to the City's involvement in the creation of new ethnic commercial areas such as:

- the City could be seen as supporting one ethnic group over others;
- businesses that do not support a particular ethnic group may oppose the designation of their area as an ethnic commercial area;
- some members of ethnic communities and multi-cultural societies oppose the creation of ethnic commercial areas, since it could be seen as the support of "ghettoization" of ethnic groups and thus hinder the integration of ethnic groups into society.

At present, Hamilton does not have a large number of ethnic commercial villages. As mentioned previously, ethnic commercial villages evolve through a natural process in which businesses establish themselves to serve adjacent ethnic populations, and new immigrants locate where ethnic services exist. Municipal Government actions to artificially create ethnic commercial villages where markets for ethnic services do not exist would likely not be successful and could prove to be controversial. Therefore, the role of the municipality should be to improve and promote existing ethnic commercial villages utilizing existing municipal programs where requested by area merchants.

For example, the City could assist the merchants in initiating programs with respect to architecture; street design; art; ethnic music; food and festivals.

This could be accomplished through the Region's existing tourism promotion publications and through the City's Business Improvement Area (B.I.A.) program.

The Region's tourism publications should capitalize on the cosmopolitan, multi-cultural nature of the City through the promotion of ethnic commercial areas.

Similarly, B.I.A.'s could use the presence of ethnic serving businesses in their areas as a promotional tool to attract customers. The locational maps showing ethnic population concentrations in the appendix of this report would be useful to determine the area of distribution of advertisements written in ethnic languages. Advertising for B.I.A.'s could also stress the ethnic serving goods and services that their members offer.

Finally, B.I.A.'s that are within or adjacent to ethnic population concentrations could enhance their marketability by encouraging ethnic commercial establishments to locate within their areas.

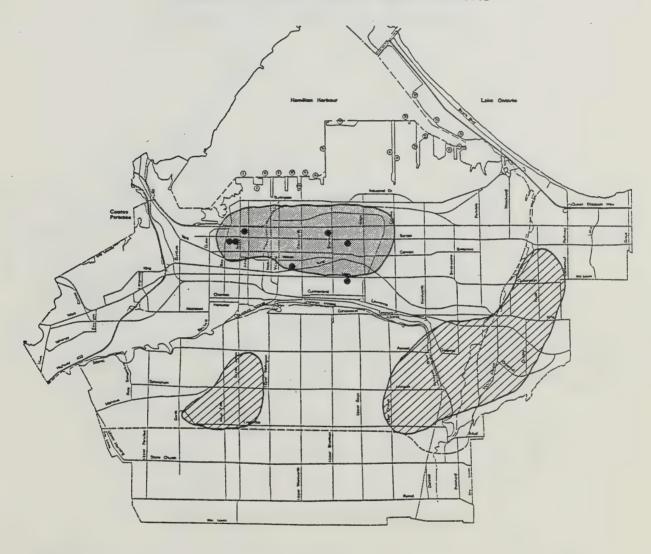
CONCLUSIONS

The following steps should be undertaken to improve and promote existing ethnic commercial villages:

- 1. where requested by local businessmen, the City, through the Community Development Department should support the creation of Business Improvement Areas to improve and promote existing ethnic commercial village areas;
- 2. the Community Development Department should use the ethnic population information in this report to help Business Improvement Areas to promote and enhance their ethnic commercial roles; and,
- 3. the Regional Economic Development Department should promote existing ethnic commercial villages through their distribution of tourism material.

D.O.:nd/cs

AREAS OF ITALIAN POPULATION AND COMMUNITY FACILITIES CONCENTRATIONS



PRIMARY POPULATION CONCENTRATION

SECONDARY POPULATION CONCENTRATION

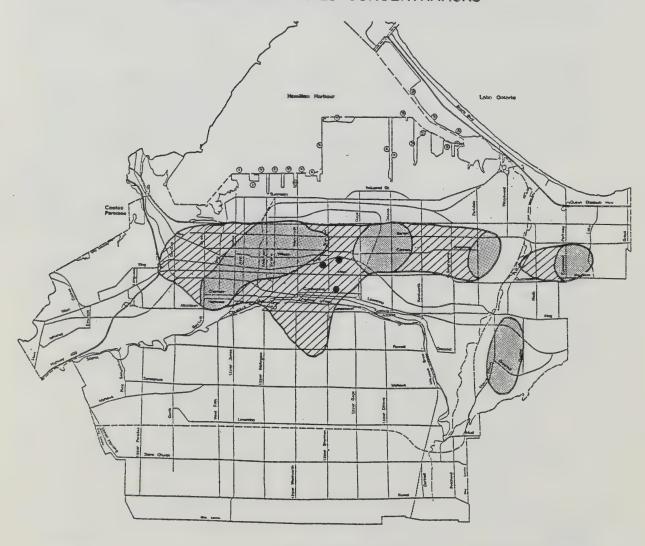
COMMUNITY CENTRES

Source: Statistics Canada. 1981 Census of Canada. Special

Tabulation.

Hamilton and District Multicultural Council. Ethnocultural Directory of Hamilton-Wentworth.

AREAS OF FRENCH POPULATION AND COMMUNITY FACILITIES CONCENTRATIONS



PRIMARY POPULATION CONCENTRATION

SECONDARY POPULATION CONCENTRATION

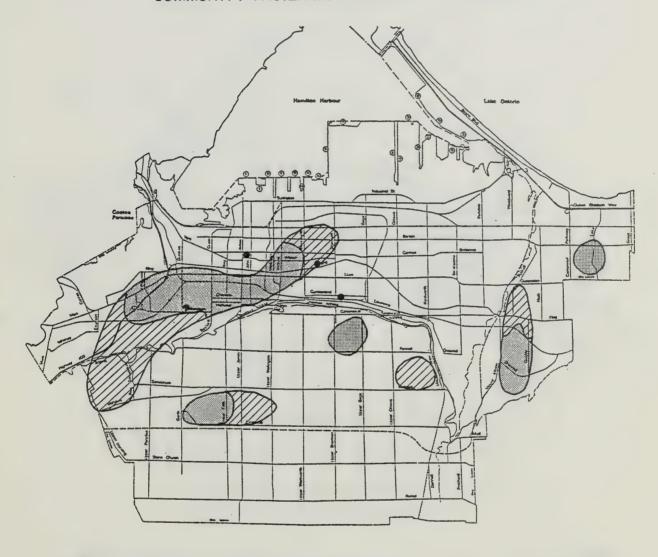
COMMUNITY CENTRES

Source: Statistics Canada. 1981 Census of Canada. Special

Tabulation.

Hamilton and District Multicultural Council. Ethnocultural Directory of Hamilton-Wentworth.

AREAS OF GERMAN POPULATION AND COMMUNITY FACILITIES CONCENTRATIONS



PRIMARY POPULATION CONCENTRATION

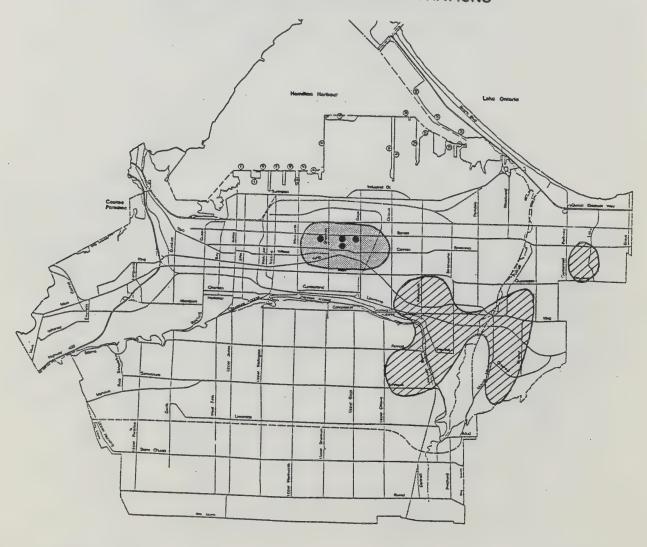
SECONDARY POPULATION CONCENTRATION

COMMUNITY CENTRES

Source: Statistics Canada. 1981 Census of Canada. Special Tabulation.
Hamilton and District Multicultural Council.
Ethnocultural Directory of Hamilton-Wentworth.

-. C.

AREAS OF POLISH POPULATION AND COMMUNITY FACILITIES CONCENTRATIONS



PRIMARY POPULATION CONCENTRATION

SECONDARY POPULATION CONCENTRATION

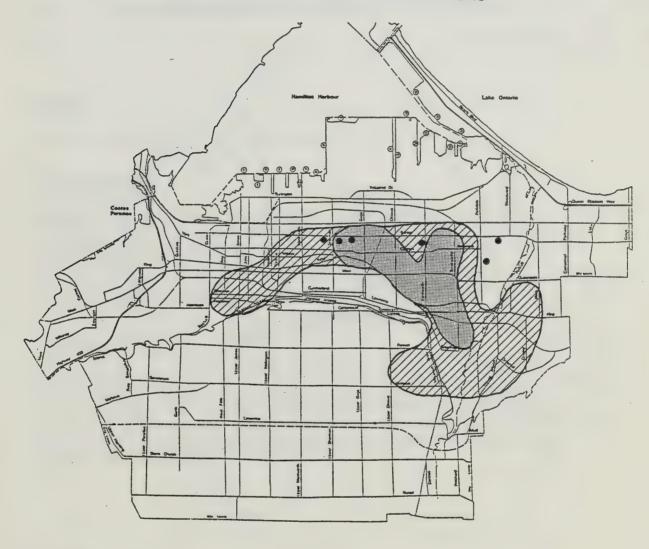
COMMUNITY CENTRES

Source: Statistics Canada. 1981 Census of Canada. Special

Tabulation.

Hamilton and District Multicultural Council. Ethnocultural Directory of Hamilton-Wentworth.

AREAS OF UKRAINIAN POPULATION AND COMMUNITY FACILITIES CONCENTRATIONS



PRIMARY POPULATION CONCENTRATION

SECONDARY POPULATION CONCENTRATION

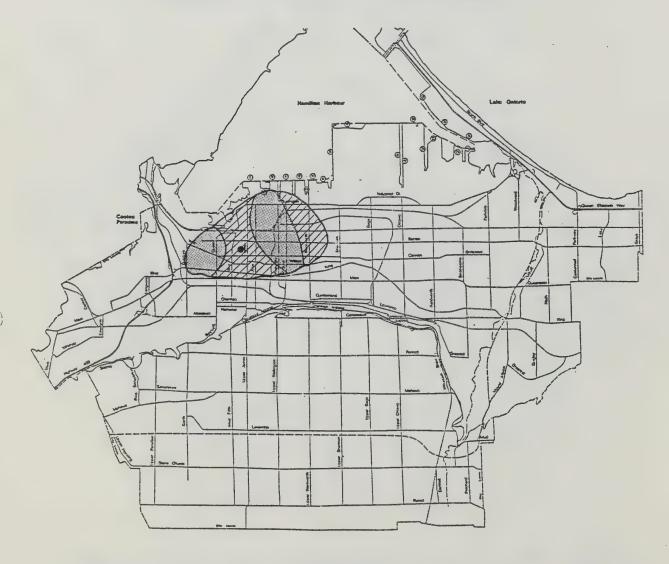
COMMUNITY CENTRES

Statistics Canada. 1981 Census of Canada. Special Source:

Tabulation.

Hamilton and District Multicultural Council. Ethnocultural Directory of Hamilton-Wentworth.

AREAS OF PORTUGUESE POPULATION AND COMMUNITY FACILITIES CONCENTRATIONS



PRIMARY POPULATION CONCENTRATION

SECONDARY POPULATION CONCENTRATION

COMMUNITY CENTRES

Statistics Canada. 1981 Census of Canada. Special Source:

Tabulation.

Hamilton and District Multicultural Council. Ethnocultural Directory of Hamilton-Wentworth.

FROM: Planning and Development Department DATE:

November 16, 1987

T0:

Planning and Development Committee

REFER TO FILE NO: P5-4-7-15

Attention of: V. J. Abraham

SUBJECT

Advisory Committee, High Density Residential Study.

RECOMMENDATION

- 1. That the Planning and Development Department be authorized to establish an Advisory Committee for the High Density Residential Development Study with membership as outlined in Schedule 1; and
- 2. That a member or members of the Planning and Development Committee be appointed to serve on the Committee.

EXPLANATORY NOTE

On September 30, 1987, the Planning and Development Committee received the Background Report of the High Density Residential Development Study, and authorized the Planning and Development Department to proceed with Phase 2 of the project, which will identify and analyze options for new High Density Residential Development. The formation of an Advisory Committee is an essential component of Phase 2.

V. J. Abraham, M.C.I.P.

Director of Local Planning

Malan

J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development

BACKGROUND

A study of high density residential development in the Central Area has been included in the 1987 work program. This study originally was recommended at a joint meeting of LACAC, CAPIC, the Durand Neighbourhood Association, and the Durand Neighbourhood Plan Advisory Committee. The Hamilton Real Estate Board and the Chamber of Commerce also indicated their support for the Study.

On April 29, the Planning and Development Committee directed the Planning and Development Department to proceed with Phase 1 of the Study. The objectives of Phase 1 were to:

- o assess the supply of and demand for high density housing in the Central Area;
- o identify the design issues associated with this form of development;
- o determine the impact of existing policies and regulations; and,
- o outline options for future action.

A Background Report was prepared which investigated these questions. This report was received by the Planning and Development Committee on September 30. At the same meeting, authorization was given for the Planning and Development Department to proceed with Phase 2 of the Study.

The objective of Phase 2 is to identify which options for future action identified in the Background Report should be recommended for implementation. As part of this process, an Advisory Committee is to be formed. As indicated in Schedule 1, this Committee will bring together representatives of existing planning committees, community groups, the architectural profession and the development industry.

A proposed timetable for the Advisory Committee is attached as Schedule 2.

JD:CS Attach.

SCHEDULE 1

High Density Residential Study Advisory Committee Proposed Composition

Planning and Development Committee (1-2)

CAPIC (2)

LACAC (2)

Urban Design Committee (1-2)

Durand Neighbourhood Association (1-2)

Durand Advisory Committee (1-2)

Corktown/Stinson Neighbourhood Association (1-2)

Advertised community positions (2)

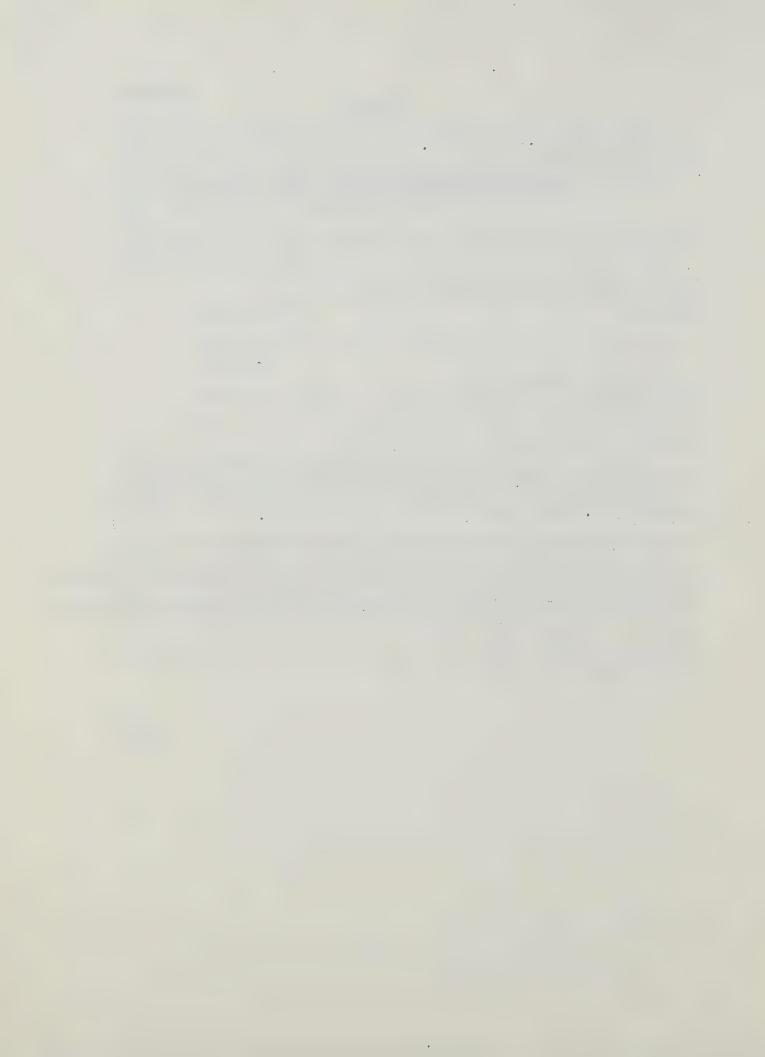
Architects (1-2 be selected by Hamilton Society of Architects)

Developers (1-2 be selected by Hamilton and District Home Builders Association)

Real estate people (1-2 be selected by Metropolitan Hamilton Real Estate Board)

Chamber of Commerce (1-2)

Total Membership: (15-24)



Proposed Meeting Schedule: High Density Residential Study Advisory Committee

The Committee will meet weekly from early January through to early March.

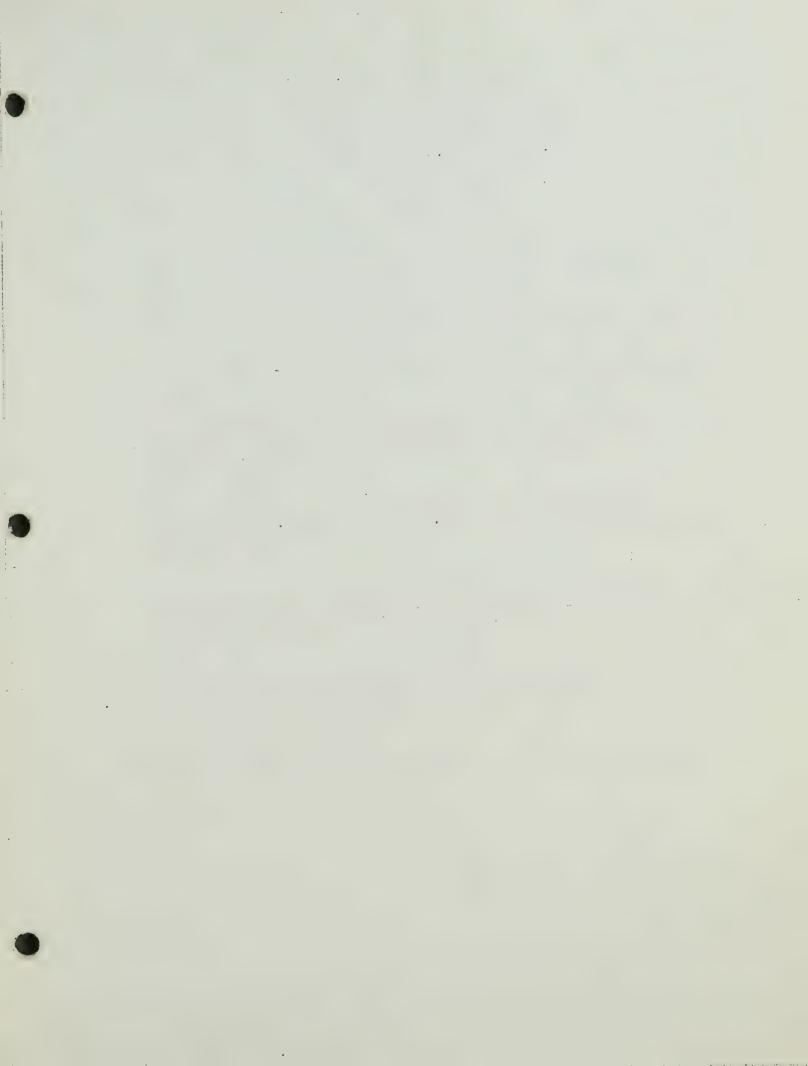
The first meeting will be held during the evening of January 4th. At this meeting, it will be decided whether Monday night meetings are suitable, or if another time is better.

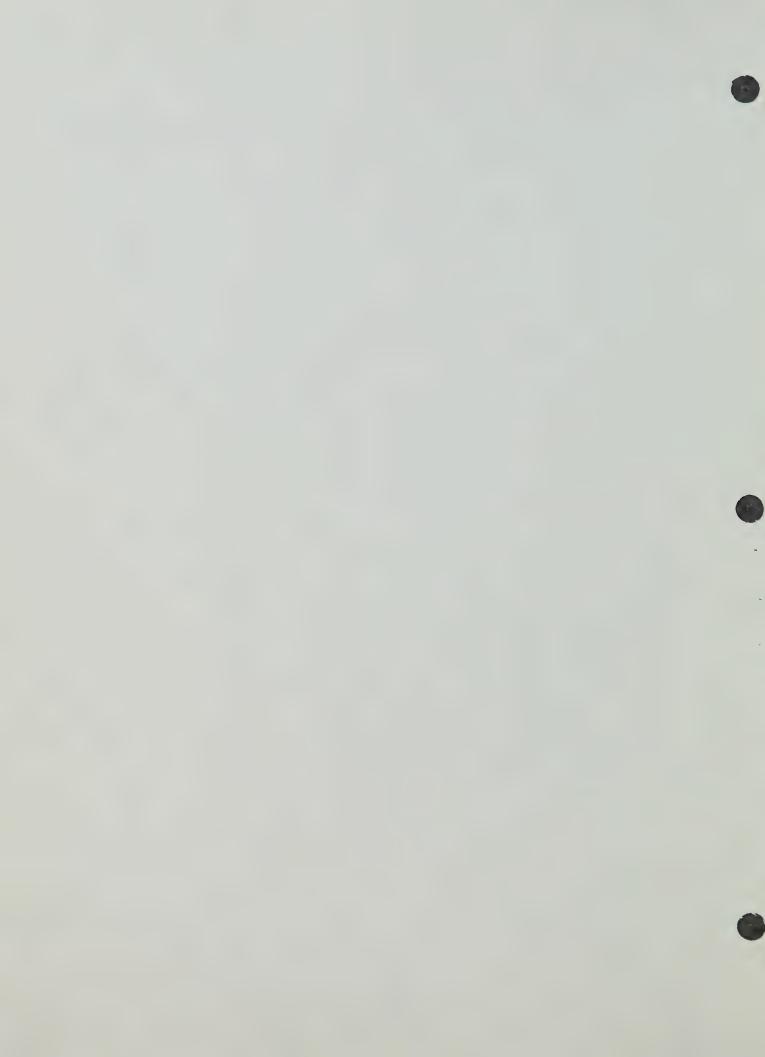
- 1. Orientation
 - purpose of study
 - process past & future
 - role of Committee
 - operations of Committee
 - review of background material
- 2. Alternative forms of high density housing and their economic implications
 - policies of other municipalities
 - slide show "human scale" development
 - cost implications of alternatives
- 3. Environmental implications of alternative forms of high density housing
 - wind effect
 - shadow casting
- 4. New sites for high density housing
 - new areas to be zoned for this use
 - modification of existing zoning to permit infilling
- 5. Other modifications to existing zoning/regulations
 - heritage conservation
 - streetscape preservation
 - "human scale" development
 - building height
- 6. Further modifications to existing zoning and regulations
 - greenspace
 - parking
 - shadow casting and wind effect standards
- 7. Assessment of policy documents
 - Durand Neighbourhood Plan designations
 - review of Central Area Plan policies
 - assessment of need for Official Plan amendments

- Feedback 8.
- 9. Spare
- 10. Report review

 - City initiatives review of draft report

WP 0617P





ZONING APPLICATIONS

PLANNING AND DEVELOPMENT COMMITTEE

NOVEMBER 25, 1987 - 3:00 P.M.

COUNCIL CHAMBERS

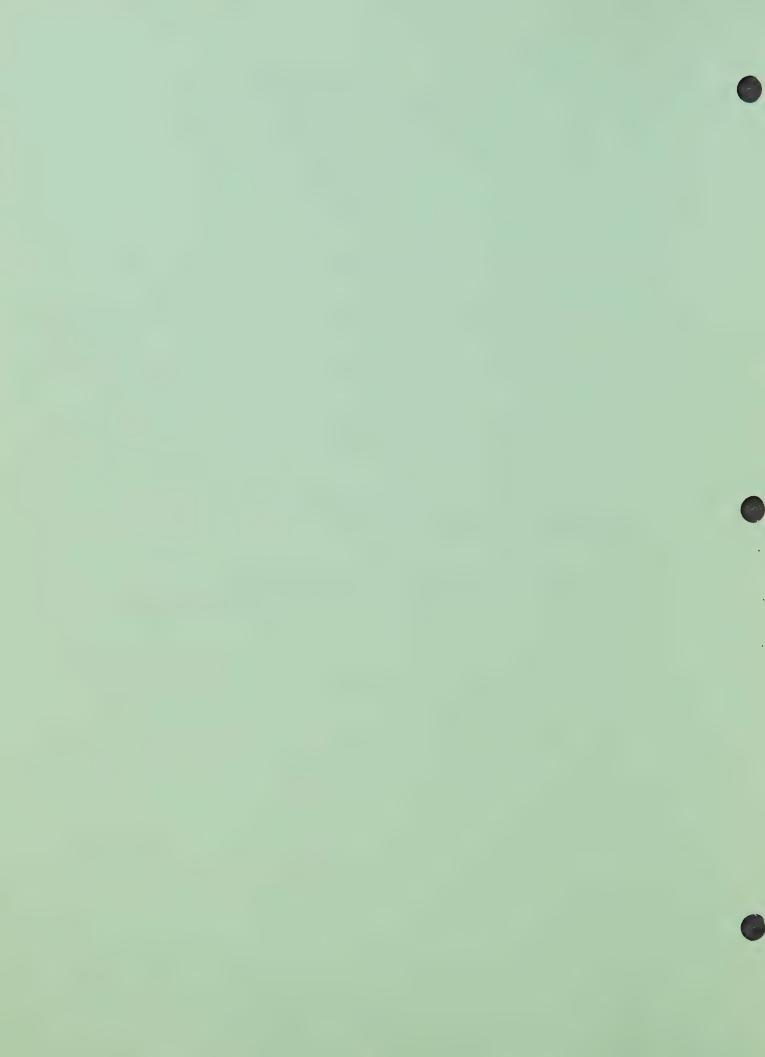
AGENDA

- A. 3:00 o'clock p.m. Zoning Application 87-76, D. Bovell, owner, property at No. 1026 King Street East; (Stipeley Neighbourhood).
- B. 3:00 o'clock p.m. Zoning Application 87-88, K. Popovich, owner, for property at No. 166 Gainsborough Road; (Riverdale West Neighbourhood).
- C. 3:00 o'clock p.m. Zoning Application 87-103, R. G. Brown, owner, for property at No. 1154 Leaside Road; (Parkview West Neighbhourhood).
- D. 3:15 o'clock p.m. Subdivision Application 87-26 and Zoning Application 87-91, Appleridge Estates (Hamilton) Ltd., owner, for the rear part of lands at No. 613 Stone Church Road East; (Rushdale Neighbourhood)
- E. 3:15 o'clock p.m. Subdivision Application 87-30 and Zoning
 Application 87-65, F. Silvestri, owner, for lands in the area north of
 Rymal Road East and Upper Gage Avenue; (Eleanor Neighbhourhood). Report to follow
- F. 3:15 o'clock p.m. Subdivision Application 87-27 and Zoning Application 87-110, Bar-Brock Enterprises Ltd., owner, for lands in the area east of Eleanor Avenue between Dulgaren Street and Alma Avenue; (Eleanor Neighbourhood).
- G. 3:30 o'clock p.m. Zoning Application 87-90, Hamilton General Homes (1971) Ltd., owner, for property on the north side of Stone Church Road East, west of the Hydro Right-Of-Way; (Rushdale Neighbourhood).

 (a) Letters of Submission
- H. 3:45 o'clock p.m. Submission Review re: Requested walkway closure between Cranbrook Drive and Greyfirar Drive; (Gilkson Neighbourhood)

I. Normanhurst Neighbourhood - Zoning Change

Susan K. Reeder Acting Secretary



FOR ACTION

H-

FROM	Planning and Development Department	DATE November 11, 1987
ТО	Planning and Development Committee	Refer to File No. ZA-87-76 STIPELEY
		NEIGHB OURH OOD
		Attention Of V. J. Abraham

SUBJECT

Request for a modification to the "DE-2" (Multiple Dwellings) District regulations for the property located at No. 1026 King Street East. The purpose of the proposed modification is to permit 14 dwelling units within the existing building instead of the legally permitted 12.

RECOMMENDATION

That Zoning Application 87-76, Delores Bovell, owner, requesting a modification to the "DE-2" (Multiple Dwellings) District regulations, to permit 14 units within the existing building instead of the legally permitted 12 units, for the property located at No. 1026 King Street East, as shown on the attached map marked as APPENDIX "A", be denied for the following reasons:

- a) the use was established illegally;
- b) no parking spaces can be provided for the additional units. In addition, there are only 4 spaces available for the legal non-conforming units. Lack of on-site parking tends to create an overflow parking situation on adjacent streets. Under current by-law requirements, the multiple dwelling would require 18 parking spaces. In this regard, there is a shortage of 14 spaces.

V. J. Abraham, M.C.I.P. Director of Local Planning J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development

APPLICANT

Delores Bovell, owner.

LOT SIZE AND AREA

- o 12.88 m (41.87 ft.) of lot frontage;
- o 30.06 m (97.71 ft.) of lot depth; and
- o 387.17 m² (4,091.12 sq. ft.) of lot area.

LAND USE AND ZONING

	Existing Land Use	Existing Zoning
SUBJECT LANDS	Multiple dwelling (14 units)	"DE-2" (Multiple Dwellings) District
SURROUNDING LANDS		
To the north	Church, multiple dwelling, offices	"C" (Urban Protected Residential, etc.) District
		"H" (Community Shopping and Commercial, etc.) District
To the south	Single and two family dwellings	"C" (Urban Protected Residential, etc.) District
To the east	Vacant, multiple dwellings	"H" (Community Shopping and Commercial, etc.) District
		"DE-2" (Multiple Dwellings) District
To the west	Commercial	"H" (Community Shopping and Commercial, etc.) District

OFFICIAL PLAN

The subject lands are designated "Commercial" on Schedule "A". Residential uses are permitted within a commercial designation. The proposal complies.

NEIGHBOURHOOD PLAN

The subject lands are designated "Low Density Apartments" in the approved Stipley Neighbourhood Plan. The proposal complies.

BACKGROUND

The owner was issued an Order to Comply against the building on April 3, 1987 to reduce the number of units from 14 to 12.

COMMENTS RECEIVED

- The Building Department has indicated that the existing use is contrary to the Zoning By-law.
- o The <u>Traffic Department</u> has advised that:

"It is our understanding that the status of the subject lands is legal non-conforming permitting a maximum of 12 dwelling units. The existing development provides only four parking spaces which represents a theoretical shortage in the amount of 11 spaces.

Therefore, we cannot support any increase in the number of units without the provision of the required parking."

o The Hamilton-Wentworth Engineering Department and Hamilton Region Conservation Authority have no objections.

COMMENTS

- The proposal complies with both the Official Plan and Approved Stipley Neighbourhood Plan.
- The proposal cannot be supported for the following reasons:
 - a) the use was established illegally.
 - b) no parking spaces can be provided for the additional units. In addition, there are only four spaces available for the legal non-conforming units. The lack of on-site parking tends to create an overflow parking situation on adjacent strets. Under current By-law requirements, the multiple dwelling would require 18 parking spaces. In this regard, there is a shortage of 14 spaces.

C ONCLUSI ON

Based on the foregoing, the proposal cannot be supported.

J.H.:nd

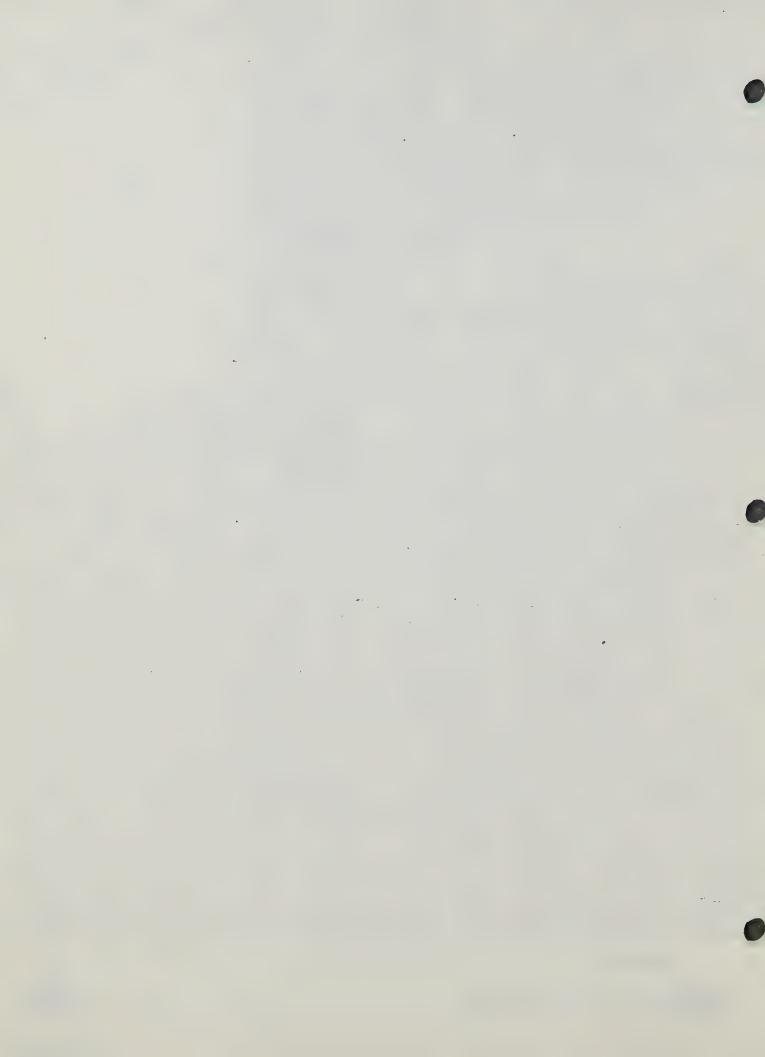
W.P. DCC. 0022P





SITE OF THE APPLICATION





FOR ACTION

D.

FROM	Planning and Development Department	DATENove	ember 6, 1987
ТО	Planning and Development Committee		ZA-87-88 VERDALE WEST IGHBOURHOOD
		Attention Of \	. J. Abraham

SUBJECT

Request for a modification to the established "C" (Urban Protected Residential, etc.) District regulations for property at No. 166 Gainsborough Road, as shown on the attached map. The purpose of the modification is to permit a hairdressing business, operated as a home occupation by one person (the applicant) from within the dwelling.

RECOMMENDATION

That approval be given to Zoning Application 87-88, Kathy Popovich, owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District to permit a hairdressing business as a "Home Occupation" use within a portion of a dwelling located at No. 166 Gainsborough Road, as shown on the attached plan marked as APPENDIX "A" on the following basis:

- 1. That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of By-law NO. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
 - That notwithstanding the provisions of Section 2(2)(H)(iii)(f) and (h) of By-law No. 6593, hairdressing shall be permitted as a home occupation
 - i) carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and,
 - ii) providing for not more than one comb-out centre and one hair styling sink.
 - b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S- , and that the subject lands on zoning District Maps E-114 and E-115 be notated S- ;
 - c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-114 and E-115;
 - d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The purpose of the By-law is to provide for a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to property located at No. 166 Gainsborough Road, as shown on the attached map marked as APPENDIX "A".

The effect of the By-law is to permit a hairdressing business, operated as a home occupation for one hairdresser only. In addition, the By-law limits the hairdressing business to one comb-out centre and one hair styling sink.

V. J. Abraham, M.C.I.P. Director of Local Planning

Alnaham

J. U. Thoms, M.C.I.P.
Commissioner
Planning and Development

APPLICANT

Kathy Popovich, owner.

LOT SIZE AND AREA

An irregular shaped lot having

- 32.26 m (105.84 ft.) of lot frontage on Gainsborough Road;
- an average lot depth of 26.31 m (86.34 ft.); and,
- a lot area of 944.79 m² (10,170 sq. ft.)

LAND USE AND ZONING

Existing Land Use

Subject Lands single family dwelling

Existing Zoning

"C" (Urban Protected Residential, etc.) District

Surrounding Lands

To the north "C" (Urban Protected single family dwellings Residential, etc.) District To the south parking lot for an "G-3" (Public Parking Lots) apartment building located District and "H" (Community in the City of Stoney Creek Shopping and Commercial, etc.) District To the east "C" (Urban Protected single family dwellings Residential, etc.) District To the west single family dwellings "C" (Urban Protected and commercial uses Residential, etc.) District and "HH" (Restricted Community Shopping and Commercial, etc.) District

OFFICIAL PLAN

Designated "Residential", the proposal complies.

NEIGHBOURHOOD PLAN

Designated for "Single and Double" residential development on the approved Riverdale West Neighbourhood Plan, the proposal complies.

BACKGROUND

By-law 81-20

On January 13, 1981 City Council approved By-law No. 81-20, which was approved by the Ontario Municipal Board on April 10, 1981. The effect of the By-law was to prohibit, among other uses, hairdressing and barbering as a "Home Occupation" use.

• Current Proposal

The applicant intends to use a portion of the basement of the existing dwelling for a part-time hairdressing business. The business will be operated by the applicant who resides on the premises. The applicant advised that only one styling sink, one comb out centre and one hair dryer will be used in the operaton of the business.

Off-street parking facilities are available on the site.

..../4

COMMENTS RECEIVED

o The Building Department has advised that

"the proposed use is contrary to Sections 3 (3)(i) and 2 (2)H(iii) of By-law No. 6593."

The Traffic Department, Hamilton Region Conservation Authority,
Hamilton-Wentworth Engineering Department, Local Architectural
Conservation Advisory Committee Staff have no comments or objections to the proposal.

COMMENTS

- 1. The proposal complies with the Official Plan.
- 2. The proposal would not conflict with the intent of the approved Riverdale West Neighbourhood Plan.
- 3. Subsequent to the passing of By-law No. 81-20 (see Backgorund), the Planning and Development Committee and City Council have approved a number of similar zoning applications to establish "hairdressing" as a "Home Occupation", with limitations on the size of the operation, e.g. limited to one styling sink, one comb-out centre, one hairdryer.

It appears that these restrictions have effectively mitigated the problems previously associated with "hairdressing" as a "Home Occupation" in that no complaints have been received by the Building, Health or Traffic Departments respecting the newly established operations.

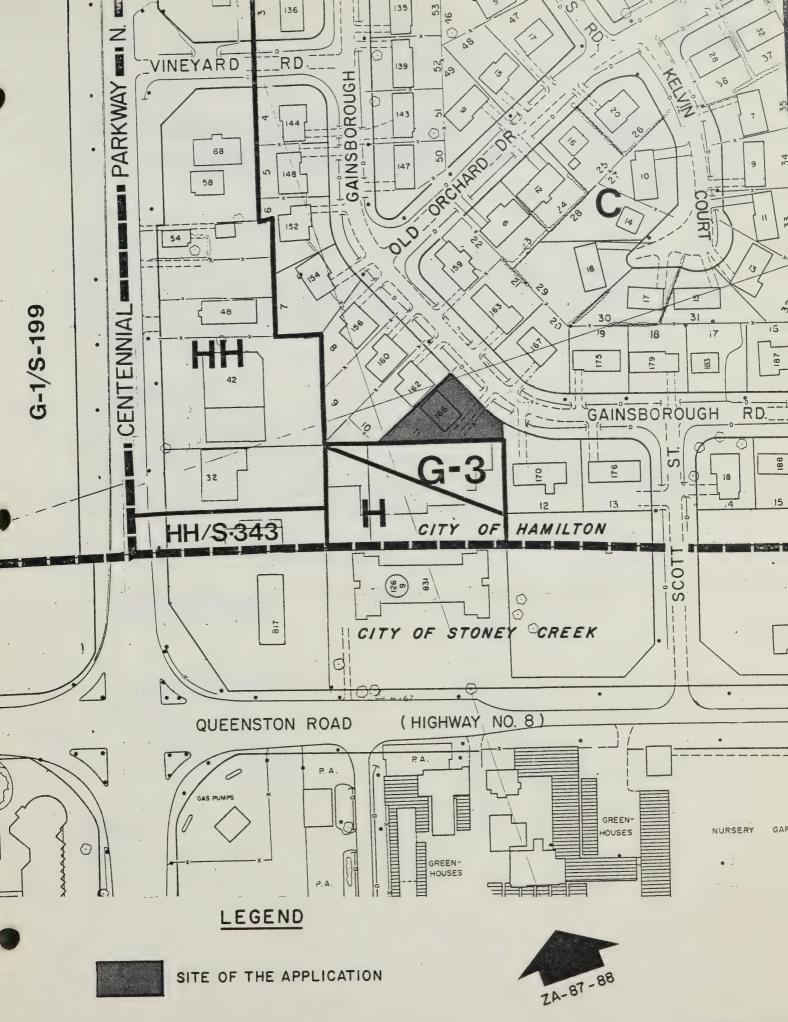
- 4. Taking into consideration the foregoing and the fact that:
 - 1. the business is only part-time in nature and is primarily related to the walk in trade from area residents;
 - 2. the proposal should not adversely affect the demand for on-street parking in this area;
 - the business will not alter the residential character of the existing dwelling;

the proposal merits consideration providing the operation is limited to one comb-out centre and sink, with one hairdresser who resides on the premises as his/her principal place of residence.

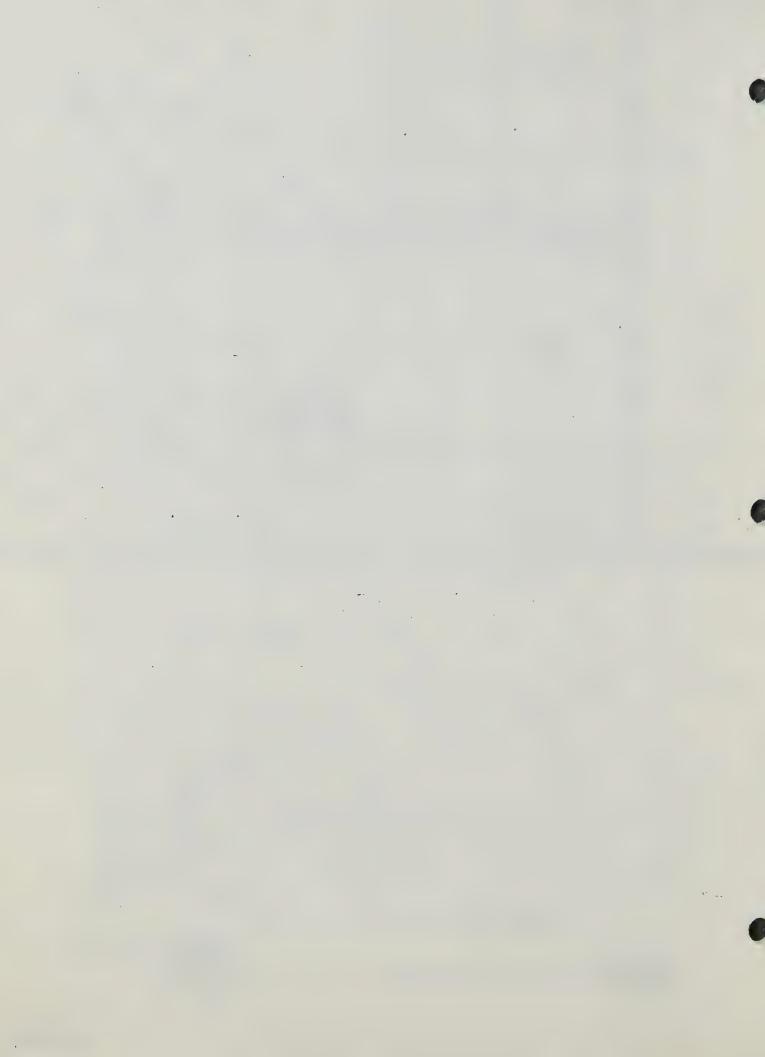
CONCLUSION

On the basis of the foregoing, the application can be supported.

GW/sh/0136



APPENDIX A



FOR ACTION

TO: Planning and Development Department DATE: November 13, 1987

Refer to File No. ZA-87-103

PARKVIEW WEST NEIGHBOURHOOD

SUBJECT

Request for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-2" (Urban Protected Residential - One and Two Family Dwellings, etc.) District for the property located at No. 1154 Leaside Road. The purpose of the proposed change in zoning is to convert a single family dwelling to a two family dwelling.

RECOMMENDATION

That Zoning Application 87-103, Richard Brown, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-2" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, to convert a single family dwelling to a two family dwelling, for the property located at No. 1154 Leaside Road, as shown on the attached map marked as APPENDIX "A", be denied for the following reasons:

- a) It represents an intrusion of a two family dwelling into a stable and established single family dwelling area; and,
- b) It sets the stage for other landowners to convert their dwellings for multiple occupancy.

V. J. Abraham, M.C.I.P. Director of Local Planning J. D./Thoms, M.C.I.P.

Commissioner

Planning and Development Department

APPLICANT

Richard Brown, owner.

LOT SIZE AND AREA

- o 16.5 m (53 ft.) of lot frontage;
- o 30.48 m (100 ft.) of lot depth; and,
- o 492.37 m² (5,300 sq. ft.) of lot area.

LAND USE AND ZONING

	Extiscing Land OSC	EXTSCING ZONTING			
Subject Lands	single family dwelling	"C" (Urban Protected Residential, etc.) District			
Surrounding Lands					
To the north	vacant, Burlington Street	"A" (Conservation, Open Space, Park and Recreation) District			
To the south east and west	Single family dwellings	"C" (Urban Protected Residential, etc.) District			

Existing Land Use

Existing Zoning

OFFICIAL PLAN

The subject lands are designated "Residential" on Schedule "A". The proposal complies.

NEIGHBOURHOOD PLAN

The subject lands are designated "Single and Double" Housing in the approved Parkview West Neighbourhood Plan. The proposal complies.

BACKGR OUND

The applicant was issued an Order to comply against the property on December 22, 1986 for construction of a rear addition without a building permit. The applicant has since received a permit and has completed the outside construction. The building with the new addition will be converted to a two family dwelling.

COMMENTS RECEIVED

The <u>Building Department</u>, <u>Hamilton Region Conservation Authority</u>, <u>Traffic Department</u>, and <u>Hamilton-Wentworth Engineering Department</u> have no comments or objections.

COMMENTS

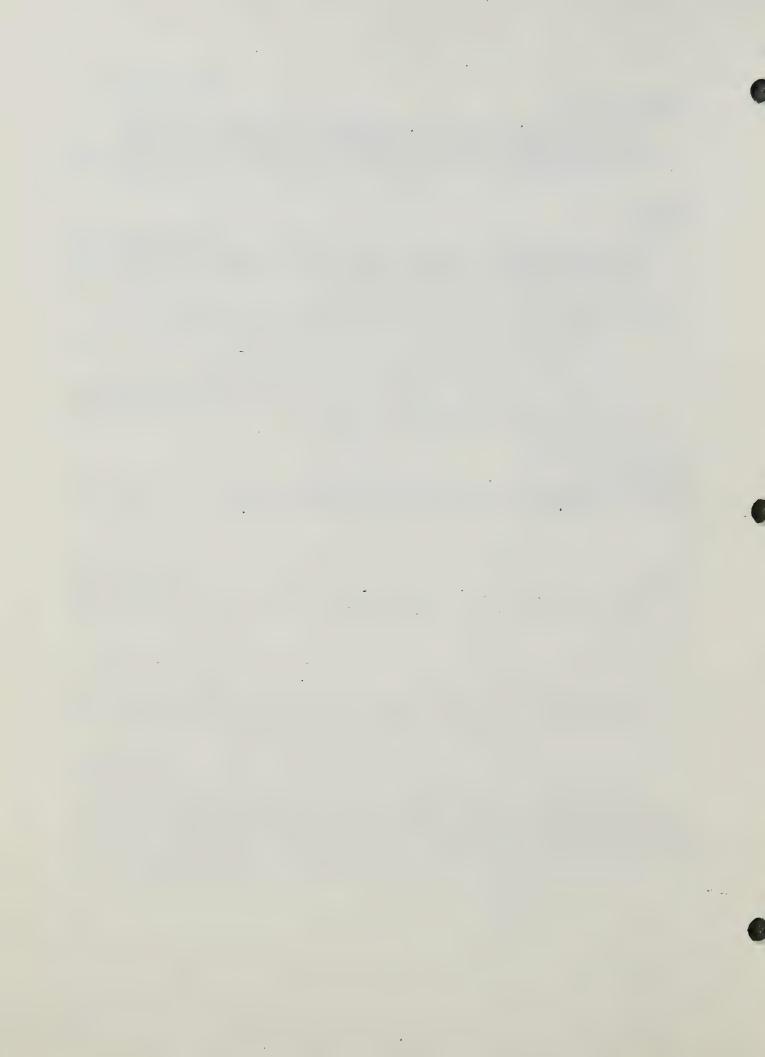
- 1) The proposal complies with the Official Plan and the approved Parkview West Neighbourhood Plan in that the area is designated residential and "single and double" housing respectively.
- 2) The proposal cannot be supported for the following reasons:
 - a) It represents an intrusion of a two family dwelling into a stable and established single family dwelling area; and,
 - b) It sets the stage for other landowners to convert their dwellings for multiple occupancy.

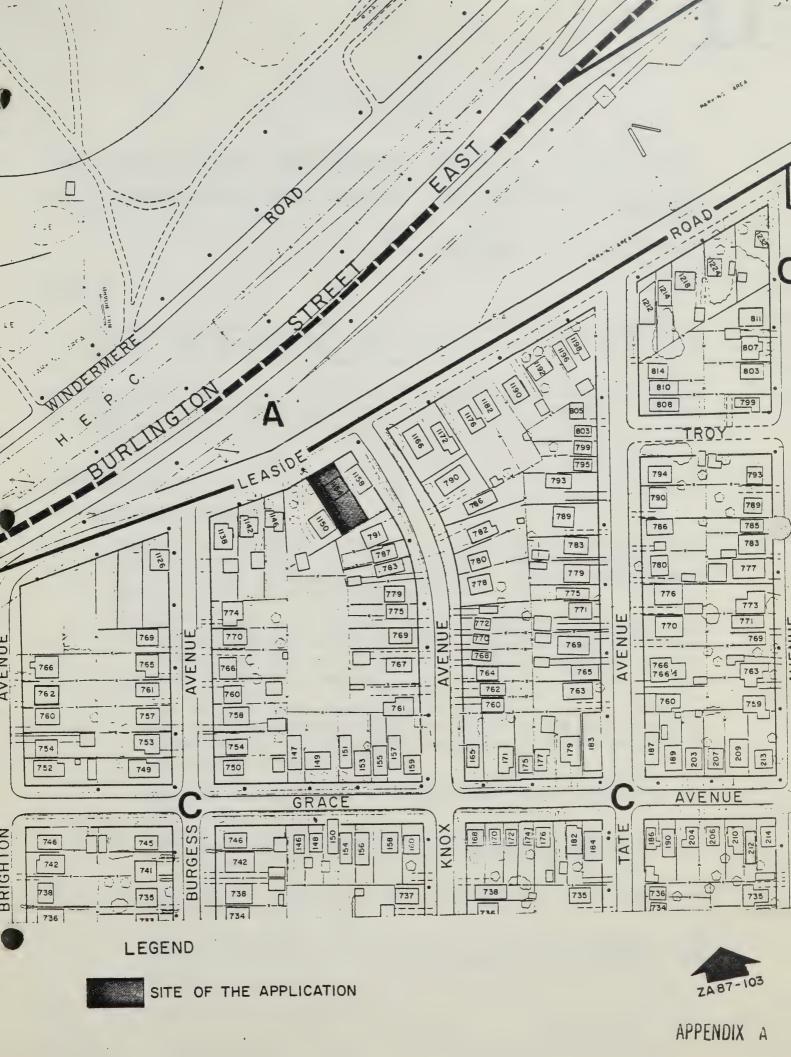
CONCLUSI ON

Based on the foregoing, the proposal cannot be supported.

JH/dkp

WP 0021P







D.

FOR ACTION

FROM: Planning and Development Department DATE:

November 17, 1987

TO: Planning and Development Committee

Refer to File No. SA-87-26

ZA-87-91

Attention

V. J. Abraham

SUBJECTS

1. Application to the Region for approval of a draft plan of subdivision, Regional File No. 25T-87035, City of Hamilton File No. SA-87-26, to establish 18 lots for single-family dwellings.

2. Application to the City of Hamilton for approval of a rezoning, File No. ZA-87-91, for a change in zoning from "RT-10" (Townhouse) District modified to "C" (Urban Protected Residential, etc.) District.

RECOMMENDATIONS

1. Subdivision Application

- a) That approval be given to application SA-87-26, Appleridge Estates (Hamilton) Ltd., owner, to establish a draft plan of subdivision in the area north of Stone Church Road East, west of Upper Sherman Avenue, subject to the following conditions:
 - 1. That approval apply to the plan prepared by A. J. Clarke and Associates dated July 14, 1987, revised to widen the road allowance to 20 m and to show 9 m radius transitions from the street to the cul-de-sac bulb.
 - 2. That the plan not be registered until such time as road access is provided by the extension of Rupert Court from the southerly limit of Registered Plan No. 62M-528 (High Ridge Estates Phase 3) to the proposed street.
 - 3. That the road allowance be dedicated as a public highway on the final plan.
 - 4. That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - That the final plan conform with the Zoning By-law approved under The Planning Act.
 - 6. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.

- 7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- 8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
- 9. That the owner shall erect a sign in accordance with Section X of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
- 10. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-87-26), Appleridge Estates (Hamilton) Ltd., owner, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

2. Zoning Application

That approval be given to Zoning Application 87-91, Appleridge Estates (Hamilton) Ltd., owner, for a change in zoning from "RT-10" (Townhouse) District, modified, to "C" (Urban Protected Residential, etc.) District for the rear lands of No. 613 Stone Church Road East, as shown on the attached map marked as APPENDIX "A", on the following basis:

- i) That the subject lands be rezoned from "RT-10" (Townhouse) District to "C" (Urban Protected Residential, etc.) District;
- ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27C;
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- iv) That the Rushdale Neighbourhood Plan be amended by redesignating the subject lands from "Attached Housing" to a "Single and Double" residential designation.

Explanatory Note

The purpose of the by-law is to provide for a change in zoning from "RT-10" (Townhouse) District to "C" (Urban Protected Residential, etc.) District for property located at the rear of No. 613 Stone Church Road East as shown on the attached map marked as APPENDIX "A".

The effect of the By-law is to permit development of the subject lands for single family dwellings.

Respectfully submitted, -

J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development

V. J. Abraham, M.C.I.P. Director - Local Planning

- Maham

BACKGROUND

Owner

Appleridge Estates (Hamilton) Ltd., Winona, Ontario

Surveyor

A. J. Clarke and Associates, Hamilton, Ontario

Location

The lands, comprising 1.08 ha, are located north of Stone Church Road East, west of Upper Sherman Avenue in the Rushdale Neighbourhood, being part of Lot 9, Concession 7, Township of Barton, now in the City of Hamilton.

LAND USE AND ZONING

Existing Land Use

Existing Zoning

to the north

single-family dwellings to be constructed in a recently registered plan

of subdivision

"C" (Urban Protected Residential, etc.) District

to the south existing single-family "RT-10" (Townhouse)
dwelling on a future District
townhouse site

to the east single-family dwellings "AA" (Agricultural) District on large lots

to the west future townhouses "RT-20" (Townhouse-Maisonet

to the west future townhouses "RT-20" (Townhouse-Maisonette)
District and "D" (Urban

Protected Residential - One and Two Family Dwellings, etc.)

PROPOSAL

The owner proposes to subdivide the lands into 18 lots for single-family dwellings with all lots being serviced from a new cul-de-sac street which will run easterly from a new street to be built in conjunction with a townhouse development and connecting to Rushdale Drive. The minimum lot size proposed has a width of 12.2 m and an area of 410 m^2 .

EXISTING DEVELOPMENT CONTROLS

Hamilton-Wentworth Official Plan - the lands are identified as "Residential and Related Uses" within the Urban Policy Areas". The proposal complies.

<u>City of Hamilton Official Plan</u> - the lands are designated "Residential". The proposal complies.

Neighbourhood Plan: - the lands are designated for "Residential - single and double" and "Residential - attached housing". A revision will be required to re-designate the area for attached housing to single and double.

Niagara Escarpment Commission - the lands are not within the "Development Control Area", therefore, the regulations do not apply.

Zoning - the lands are zoned "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District modified and "RT-10" (Townhouse) District modified. An amendment to the Zoning By-law is required for the area presently zoned for townhouses to an appropriate category for single-family dwellings.

COMMENTS FROM CIRCULATION

1. Subdivision Application

The following agencies have advised that they have no comment or objection toward the proposal:

Ministry of Municipal Affairs
Ministry of Transportation and Communications
Ministry of the Environment
Ministry of Natural Resources
Ministry of Citizenship & Culture
Niagara Escarpment Commission
Hamilton Region Conservation Authority
Ontario Hydro, Union Gas, Bell Telephone
City of Hamilton Board of Education
City of Hamilton Building Department (subject to partial site rezoning).

The City of Hamilton Traffic Department has submitted the following comments

"The proposed development of 18 single family lots as shown on the submitted plan is satisfactory. However, we suggest that the applicant consider a land assembly to incorporate the adjacent lands at the south-east corner of the subject lands, to provide for the orderly development of lots."

The <u>Hamilton-Wentworth Department of Engineering</u> has submitted the following comments and recommendations:

- "1. a 12 m easement be established between Lots 10 and 11 as shown on the attached plan.
- 2. We recommend that the transition from the straight street to the cul-de-sac on Appleridge Court be changed to 9 m radius.
- 3. It is suggested that Appleridge Court be widened to 20 m width.
- 4. The owner enter into City and Regional Subdivision Agreements.

For your information, we do not expect any Regional servicing cost and services are available at the boundary."

Zoning Application

The following have advised that they have no comment or objection:

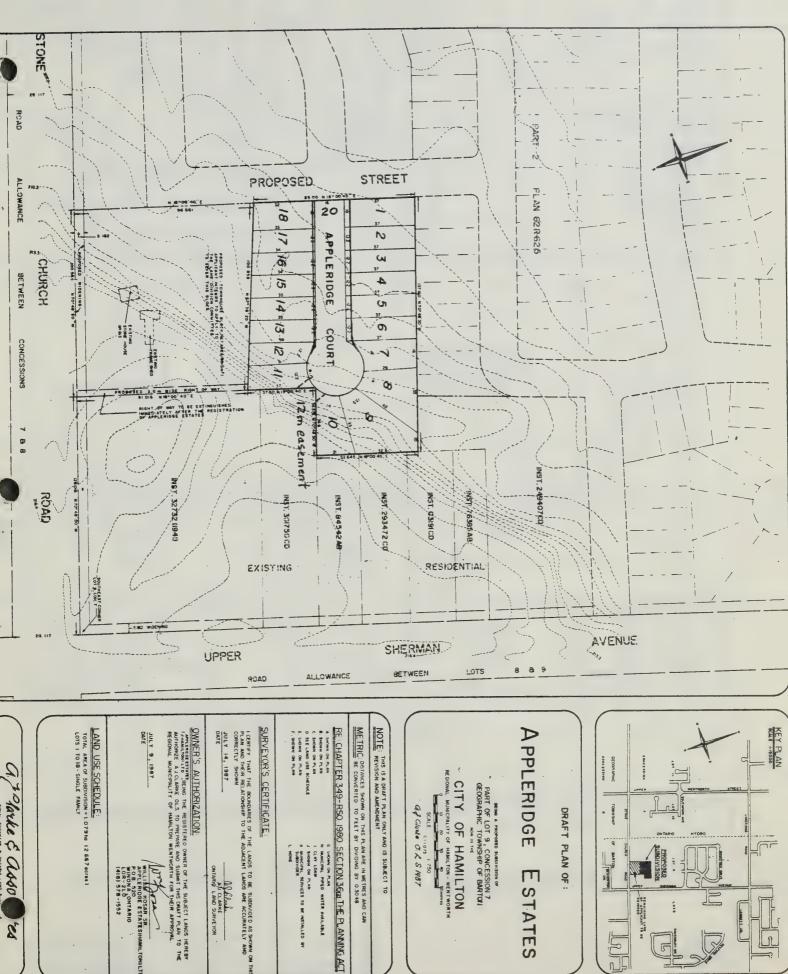
City Building Department
City Traffic Department
Hamilton-Wentworth Department of Engineering
LACAC
Hamilton Region Conservation Authority.

COMMENTS

1. This report deals with and includes recommendations in regard to a proposed draft plan of subdivision and a proposed amendment to the Zoning By-law to implement the plan.

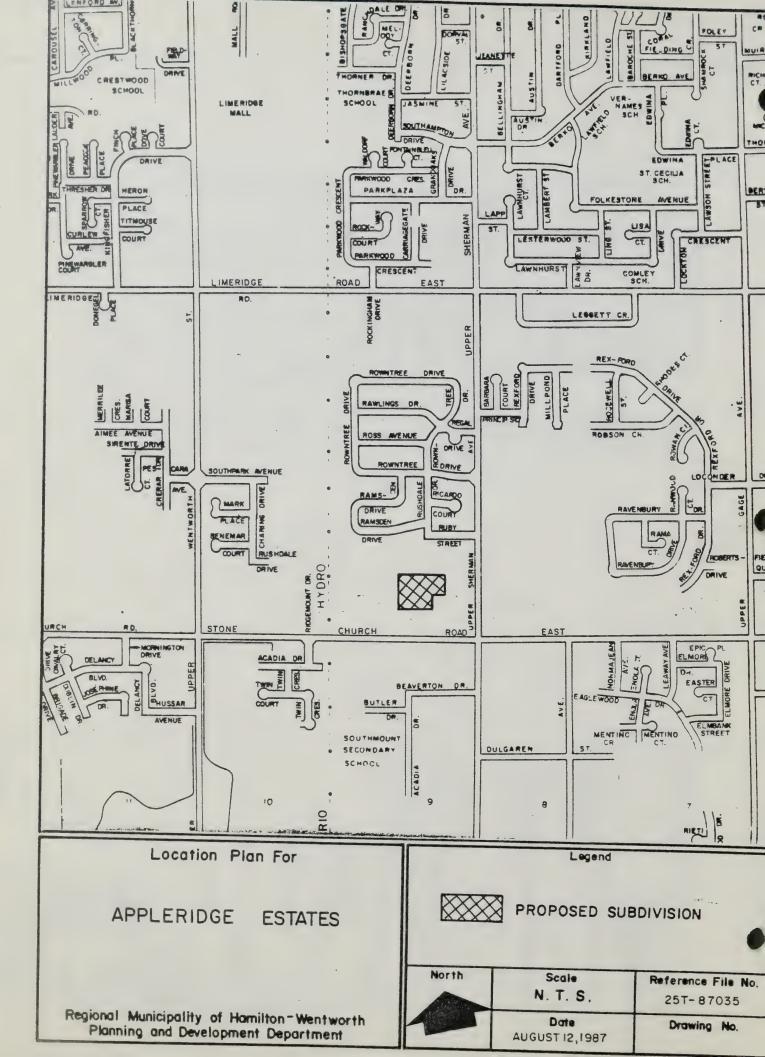
- The conformity of the proposal with the Official Plans and the need for Zoning By-law and Neighbourhood Plan amendments is noted.
- 3. As no part of the subject lands is designated for park and recreational use on the approved neighbourhood plan, it is recommended that the parkland requirment for this subdivision be taken as cash-in-lieu of land.
- 4. The suggestion of the City Traffic Department to incorporate adjacent lands at the south-east corner of the subject lands would not gain any lots and would only serve to increase the area of Lots 10 and 11, due to the requirement for a 12 m easement from the cul-de-sac bulb at this location. Both lots presently exceed the minimum area requirement for their existing and proposed zoning districts.
- 5. The proposed change to the Neighbourhood Plan land use designation will be implemented upon approval of the zoning application and the draft plan of subdivision by City Council.

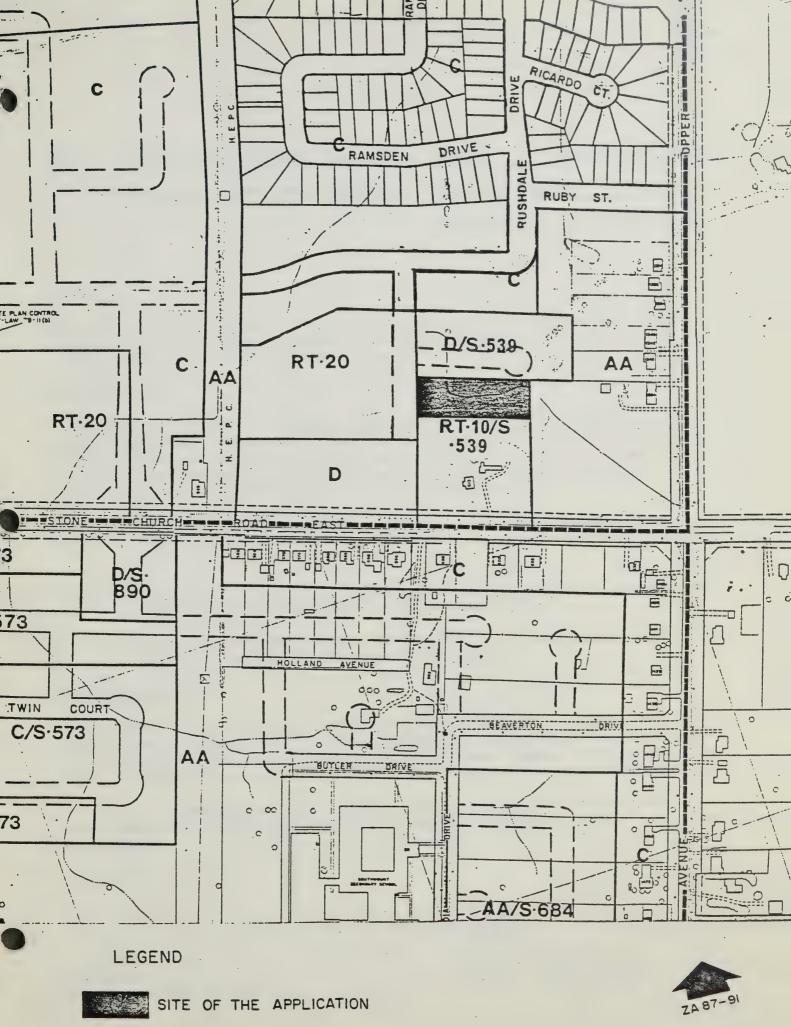
CMD/jd



a robothe & asso 22

ECT LANDS HEREBY





APPENDIX A



FOR ACTION

FROM: Planning and Development Department DATE: November 18, 1987

T0: Planning and Development Committee Refer to File No. ZA-87-110

> Attention V. J. Abraham

SUBJECT

Application to the City of Hamilton for approval of a rezoning, File No. ZA-87-110, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

RECOMMENDATION

That approval be given to Zoning Application 87-110, Bar-Brock Enterprises, owner, for a change in zoning from "AA" (Agricultural) District to "C" Urban Protected Residential, etc.) District for property located in the area east of Eleanor Avenue between Dulgaren Street and Alma Avenue as shown on the attached map marked as APPENDIX "A" on the following basis:

- i) That the lands described as Blocks 1 and 2 be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District:
- ii) That the City Solicitor be-directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District E-38D;
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located in the area east of Eleanor Avenue between Dulgaren Street and Alma Avenue, as shown on the attached map marked as APPENDIX "A".

The effect of the By-law is to permit development of the subject lands for single-family dwellings in accordance with a proposed draft plan of subdivision. Allaham

Respectfully submitted,

J. D. Thoms, M.C.I.P.

Commissioner

Planding and Development

V. J. Abraham, M.C.I.P. Director - Local Planning

BACKGROUND

Owner

Bar-Brock Enterprises Limited, Hamilton, Ontario

Agent

MacKay, MacKay and Peters Limited, Hamilton, Ontario

Location

The lands, comprising 5.21 ha, are located to the east of Eleanor Avenue between Dulgaren Street and Alma Avenue in the Eleanor Neighbourhood, being part of Lots 7 and 8, Concession 8, Township of Barton, now in the City of Hamilton.

LAND USE AND ZONING

	Existing Land Use	Existing Zoning
to the north	single-family dwellings on large lots	"AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District
to the south	single-family dwellings fronting onto Rymal Road East	"AA" (Agricultural) District for rear area of deep lots, and "C" (Urban Protected Residential, etc.) District for front part of deep lots
to the east	future single-family dwellings on draft approved plan of subdivision, future park and school and vacant lands of a proposed draft plan of subdivision	"C" (Urban Protected Residen- tial, etc.) District and "AA" (Agricultural) District
to the west	single-family dwellings on large lots fronting onto Eleanor Avenue	"C" (Urban Protected Residential, etc.) District

PROPOSAL

The owner proposes to rezone the lands to facilitate development of a plan of subdivision "Bar-Brock Estates" for single-family dwellings.

EXISTING DEVELOPMENT CONTROLS

Hamilton-Wentworth Official Plan - the lands are identified as "Residential and Related Uses" within the "Urban Policy Areas". The proposal complies.

<u>City of Hamilton Official Plan</u> - the lands are designated "Residential". The proposal complies.

Neighbourhood Plan - the bulk of the lands are designated "Residential-single and double". However, small areas are designated "Park and Recreational", "Civic and Institutional" and "Utilities". An amendment will be required to redesignate certain areas to "Residential-single and double".

Niagara Escarpment Commission - the lands are not within the "Development Control Area", therefore, the regulations do not apply.

COMMENTS FROM CIRCULATION

The following have advised that they have no comment or objection:

City Traffic Department
City Building Department
Hamilton Region Conservation Authority
LACAC

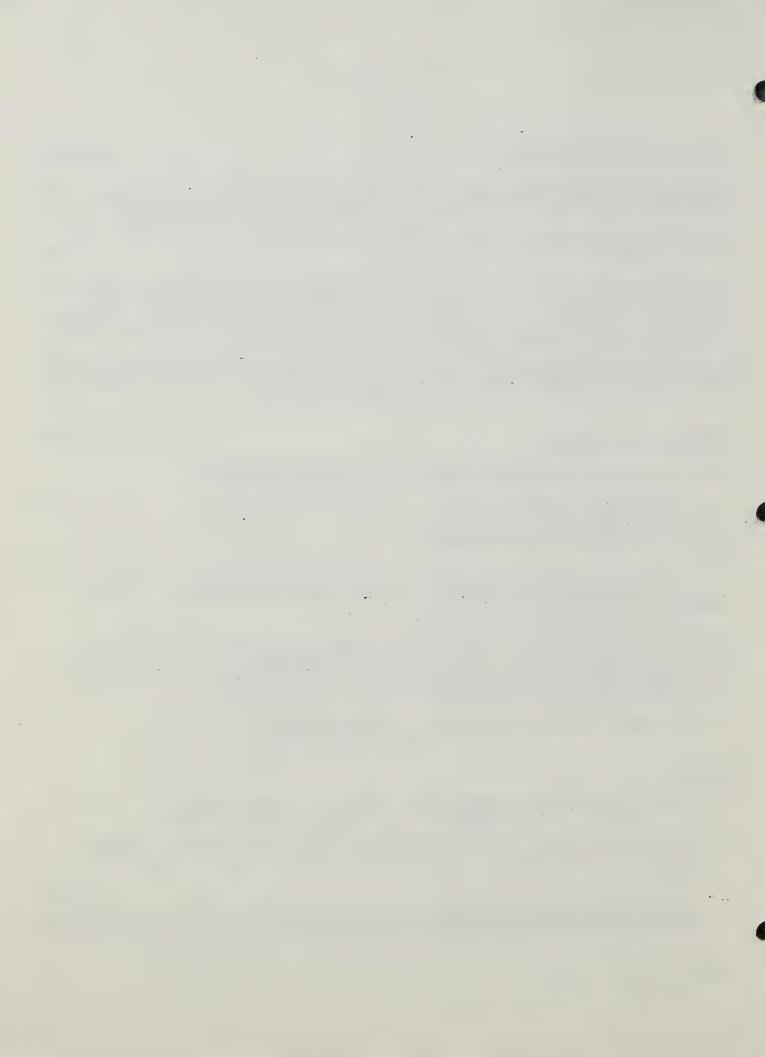
The <u>Hamilton-Wentworth Department of Engineering</u> has submitted the following comments:

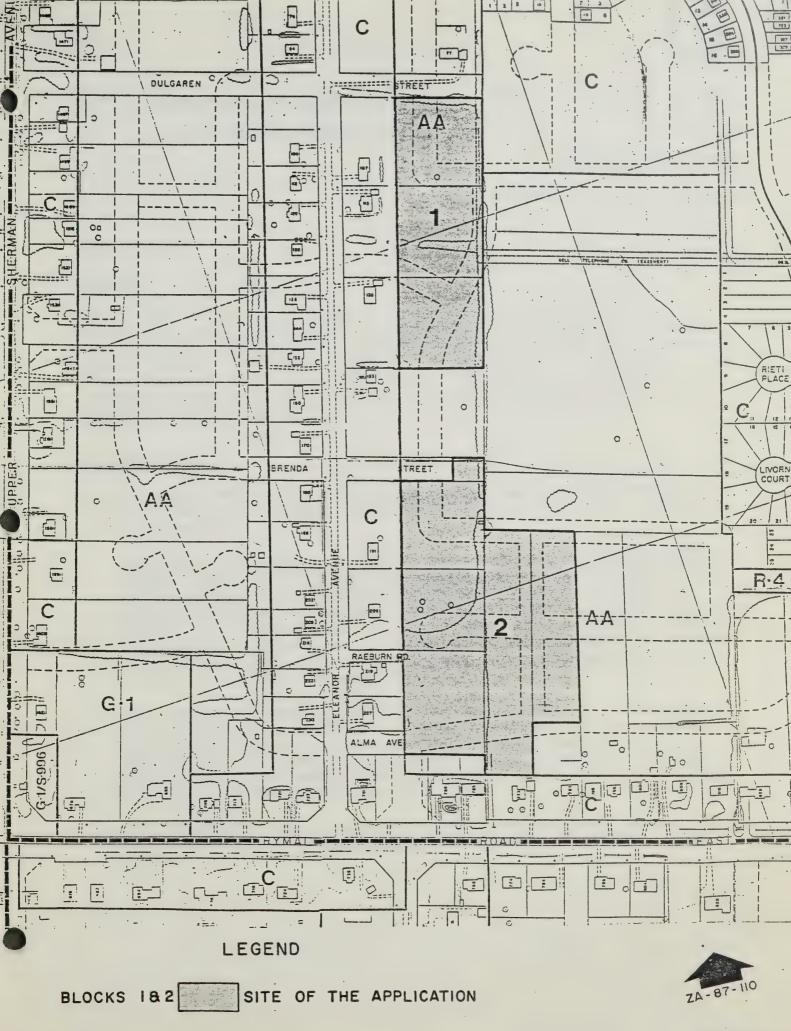
"Neither public watermains, nor sanitary sewers are presently available to service the subject lands. It is assumed that these lands will be developed by a plan of Subdivision, which will regulate the installation and financing of these services, as well as the establishment of streets etc.

For this reason, we have no objection to this development."

COMMENTS

- 1. The conformity of the proposal with the Official Plans is noted.
- 2. Any required changes to the neighbourhood plan should be made subsequent to future consideration of the draft plan of subdivision for the subject lands.
- 3. In that the proposed zoning essentially complies with the approved neighbourhood plan, the proposal can be supported.







FOR ACTION

G.

FROM: Planning and Development Department DATE: November 19, 1987

TO: Planning and Development Committee File No.: ZA-87-90

RUSHDALE NEIGHBOURHOOD

Attention: V. J. Abraham

SECOND REPORT

SUBJECT

Amended application for a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-4" (Designed Neighbourhood Shopping Centre, etc.) District, modified, and to change the Official Plan for lands located on the north side of Stone Church Road East and west of the Ontario Hydro right-of-way, as shown on the attached map. The purpose of the proposed change in zoning is to permit future development of the subject site for a neighbourhood shopping centre.

RECOMMENDATION

As directed by the Planning and Development Committee to prepare a resolution for an approval of a restricted commercial zoning, the following is submitted for consideration:

- 1. That approval be given to an amended Zoning Application ZA-87-90 Hamilton General Homes (1971) Limited, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-4" (Designed Neighbourhood Shopping Centre, etc.) District, modified, and to change the Official Plan from "Residential" to a "Commercial" land use designation, for property located on the north side of Stone Church Road East and west of the Ontario Hydro right-of-way as shown on the attached map marked as APPENDIX "A", on the following basis:
- a) That approval be given to Official Plan Amendment No. to redesignate lands located on the north side of Stone Church Road East and west of the Ontario Hydro right-of-way, as shown on the attached map from "RESIDENTIAL" to "Commercial", and that the City Solicitor be directed to prepare a by-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth;
- b) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "G-4" (Designed Neighbourhood Shopping Centre, etc.) District; and

- c) That the "G-4" (Designed Neighbourhood Shopping Centre, etc.)
 District regulations as contained in Section 13D of Zoning By-law No.
 6593 applicable to the subject lands be modified to include the
 following variances as special requirements:
 - 1. Notwithstanding Section 13D(1) B (iv), a restaurant, a take-out restaurant, and any combination thereof having a maximum seating capacity of 35 persons shall be permitted;
 - 2. Notwithstanding Section 13D(5) of By-law No. 6593, the area of the lot shall not exceed 0.6 ha (1.50 acres).
- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S- , and that the subject lands on Zoning District Map E-27C be notated S- ;
 - iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27C;
 - v) That the proposed change in zoning will be in comformity with the Official Plan for the City of Hamilton upon approval of Official Plan Amendment No. 54 by the Regional Municipality of Hamilton-Wentworth.
 - vi) That the Rushdale Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double" residential to a "Commercial" land use designation.

EXPLANATORY NOTE

The purpose of the By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-4" (Designated Shopping Centre, etc.) District for property located on the north side of Stone Church Road East and west of the Ontario Hydro right-of-way, as shown on the attached map marked as APPENDIX "A".

The effect of the By-law is to permit development of the subject lands for the propose of establishing a neighbourhood shopping centre.

In addition, the By-law provides for a modification to the "G-4" (Designed Shopping Centre, etc.) District regulations to permit a restaurant, a take-out restaurant, and any combination thereof having a maximum seating capacity of 35 persons and to permit a maximum lot area of 0.6 ha (1.50 acres) as opposed to a maximum of 0.4 ha (.99 acres).

V. J. Abraham, M.C.I.P. Director of Local Planning

Maham

J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development Department

APPLICANT

Hamilton General Homes (1971) Ltd., owner.

LOT SIZE AND AREA

An irregularly shaped parcel of land having:

- o 13.18 m (43.24 ft.) of lot frontage on Stone Church Road East:
- o approximately 141.92 m (465.0 ft.) of lot depth adjacent to a future neighbourhood entrance road; and,
- o a lot area of approximately 0.6 ha (1.50 acres).

OFFICIAL PLAN

Designated "Residential" on Schedule "A" - The Land Use Concept Plan of the Official Plan and subject to the following policy.

- A.2.1.3 Within areas designated RESIDENTIAL, land uses compatible to dwellings and deemed necessary by Council to serve the needs of local residents will be permitted, including, but not limited to:
 - iv) Limited individual or groups of commercial uses on site not exceeding .4 hectares in area, exluding Automobile Service Stations, in accordance with the Local Commercial Uses and General Provisions set out in Subsection A.2.2 of this Plan.

Since the proposed shopping centre is greater than 0.4 ha (1.0 acres) in size, it is not a permitted use within the RESIDENTIAL designation and does not comply with the Official Plan. If the application is approved, an Official Plan Amendment will be required to redesignate the subject lands from RESIDENTIAL to COMMERCIAL.

NEIGHBOURHOOD PLAN

Designation for "Single and Double" residential development on the approved "Rushdale" Neighbourhood Plan. The proposal does not comply and would require a redesignation from "Single and Double" residential to a "Commercial" land use designation.

BACKGROUND

The Planning and Development Department recommended that the application be denied for the following reasons:

1. The proposed development would be incompatible with existing and proposed residential development in this area.

- 2. The proposal does not comply with the intent of both the Official Plan and the approved Rushdale Neighbourhood Plan.
- 3. There is an adequate supply of commercial land, existing and proposed, within this area along the abutting arterial roads to serve the needs of present and future inhabitants of this area.
- 4. There is a residential lot abutting to the south-east which is not incorporated in the proposal.

Previous Meeting

The Planning and Development Committee at its meeting held on November 11, 1987 agreed to table the subject application until the next meeting (November 25, 1987). In addition, staff were directed to report back to the Committee with a new resolution for this application incorporating a modified "G" zoning for the purpose of restricting the use of the proposed plaza to specific uses.

Amended Application

Subsequent to the deferral of the subject application by the Planning and Development Committee, the applicant reviewed the application in light of the intent to establish convenience-type neighbourhood commercial uses, and has requested that consideration be given to a "G-4" (Designed Neighbourhood Shopping Centre) District as opposed to a "G" (Neighbourhood Shopping Centre, etc.) District. The applicant also requested a variance to permit a maximum lot area of 0.6 ha (1.5 acres) as opposed to 0.4 ha (.99 acres) required by the zoning by-law. (For full comments, see APPENDIX "B" attached.)

COMMENTS

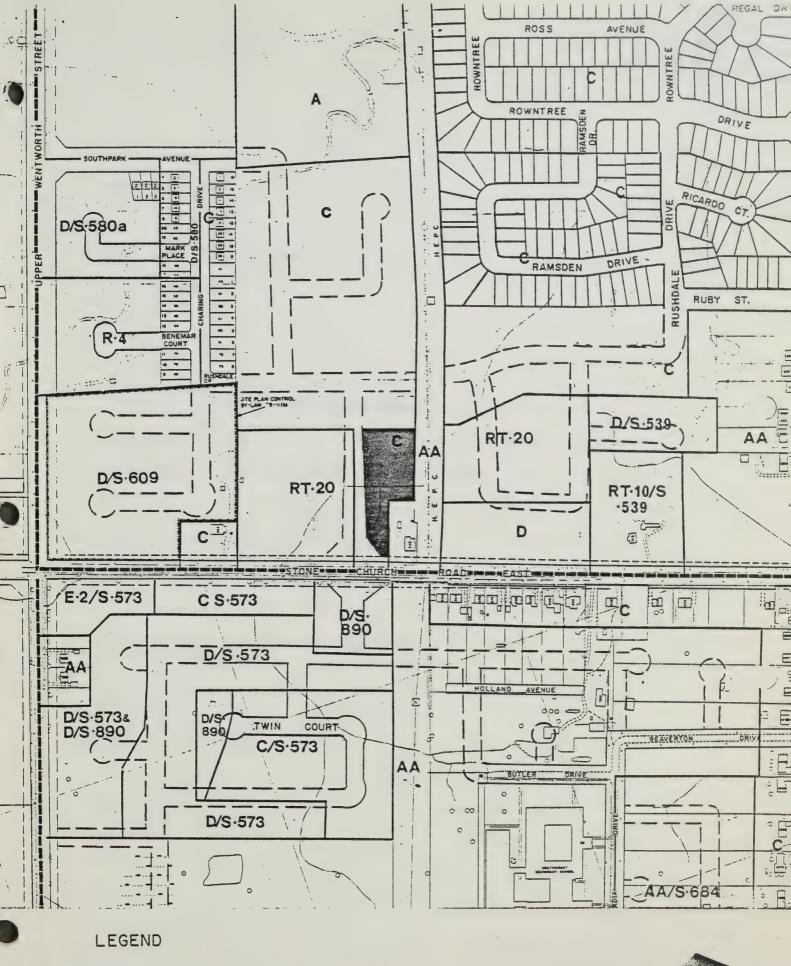
Acting on the instructions of the Planning and Development Committee to report back to the Committee with a new resolution for this application. incorporating a modified "G" zoning for the purpose of restricting the use of the proposed plaza to specific uses, both the applicant and the staff have reviewed the "G" Districts in the Zoning By-law. We have jointly concluded that the "G-4" District would be the more appropriate zoning district for neighbourhood convenience-type shopping centre. The "G-4" District restricts the maximum building height to two storeys or 9.0 m (29.54 ft.), whereas the "G" (Neighbourhood Shopping Centre District, etc.) District permits a maximum building height of two storeys, or up to 14.0 m (45.43 ft.). In addition, the "G-4" Zone excludes commercial uses such as massage parlours, public baths, shoe-shine parlour, caterer's shop, household appliance repair shop, frosted food locker plant, a laundry or dry-cleaning establishment (plant), other retail store, including show room, sample room, including one dealing in bona fide antiques, rental of bicycles or other goods, wares or merchandise, a theatre, third party signs. The applicant concurs with the "G-4" (Designed Neighbourhood Shopping Centre, etc.) District suggested by staff and has amended his application accordingly. (See letter attached marked as APPENDIX "B"). It is further recommended that the proposed "G-4" District should include a restriction to permit a restaurant, a take-out restaurant, or any combination thereof having a maximum seating capacity of 35 persons.

A variance to the "G-4" District with respect to the permitted maximum lot area would also be required, as the site in question is 0.6 ha (1.50 acres) whereas the By-law only permits a 0.4 ha (.99 acre) site. Taking into consideration the irregular site configuration and its location at the entrance to the neighbourhood, the variance is considered minor and can be supported.

The requested "G-4" District is subject to the provisions of Site Plan Control By-law 79-275. In this regard, matters dealing with landscaping, grading, fencing, parking layout, access points, road widening, etc., can be further reviewed at the site plan stage of the development.

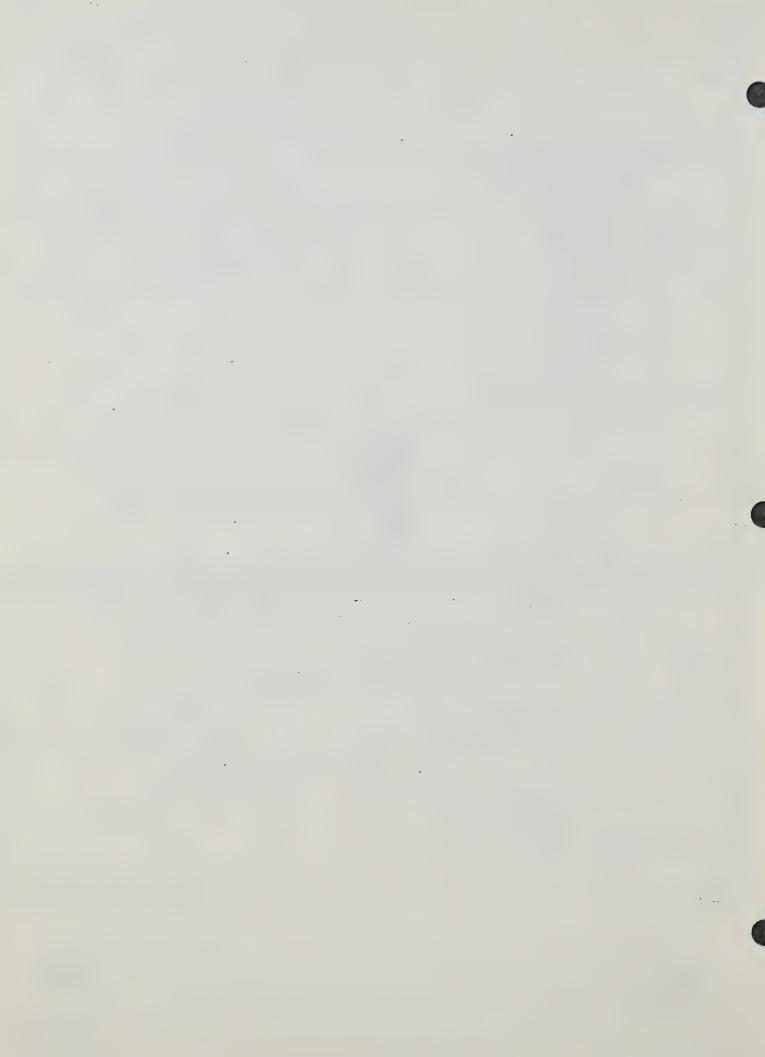
GW:CS

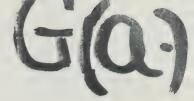




SITE OF THE APPLICATION







ZA87.90 NOV. 11/87

November 2, 1987

The Secretary Planning and Development City Hall 71 Main Street West Hamilton, Ontario L8N 3T4

To the Committee

RE: PLANNING DEPARTMENT FILE #-ZA-87-90

I live at 549 Mohawk Road East, Hamilton, and I am not apposed to the development of the properties abutting my property. But, I am however concerned about the following: The natural drainage of my property which May have already been affected; being able to enjoy my property and the privacy that goes along with it; and also possible vandalism.

These, of course are matters that should be considered.

Yours truly

Peter Matthews

Vetes Matthews.

PMjh

Copy V Albraham, Manual



November 6,1987

PLANNING AND DEVELOPMENT COMMITTEE CITY OF HAMILTON 71 Main Street West Hamilton, Ontario L8N 3T4

ZH37-10

Attention: Mr. John Smith

Dear Mr. Smith:

The Board of Directors of Los Andes of Hamilton Housing Co-operative, would like to express our opinion regarding the above mentioned Zoning Application.

Considering that:

- There is or will be a need for Shopping facilities in the neighborhood.
- The neighborhood growing population.
- The youth and children density of the area.
- The impact of certain facilities in the Environment of the neighborhood.

We will support the spirit or intention in principle, but we have serious concern regarding to the type of business that will be established there.

Therefore we would like to request from the Honourables Members of the Planning and Development Committee, that some restrictions be build in to the Resolution approving the designed neighborhood Shopping area.

In the opinion of our group, we would like to see if there is any shopping area being approved it should be designated as "G-4" District (Designed Neighborhood Shopping Area) otherwise our opinion should be considered as a rejection of any other designation. Please bear in mind that we represent the concern of 90 families.

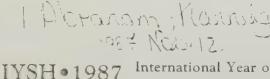
Thank you for considering the present,

Yours very truly,

Los Andes of Hamilton Housing Co-operative Inc.,

Jose F. Sarmiento President

EN/jm





EXECUTIVE SUMMARY

TO: Mr. Chairman and Members of the Planning and Development Committee

RE: ZA-87-90

Rushdale Neighbourhood

- 1. These lands are not ideally suited for low density development or other alternative uses.
- 2. These lands are ideally suited for neighbourhood commercial uses.
- 3. A neighbourhood commercial plaza at this location can be appropriately buffered and will be compatible with the existing and proposed residential development in this area.
- 4. A neighbourhood commercial plaza at this location will serve the needs of the residents of this neighbourhood and allow them to obtain neighbourhood type goods and services without having to leave their neighbourhood.
- 5. A neighbourhood commercial plaza at this location will promote energy conservation and the safety of the residents.
- 6. A neighbourhood commercial plaza at this location will supplement the existing and proposed commercial centres for this area and will not undermine the viability of such other centres.

Based upon the above, we request that this application be approved.

Respectfully submitted, PLANNING INITIATIVES

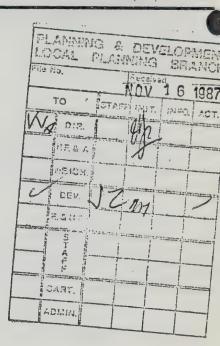
John S. Ariens,

Director of Development

JSA/baw



November 12, 1987 File No.: 349



Mr. V.J. Abraham, M.C.I.P. Director of Local Planning City of Hamilton 71 Main Street West Hamilton, Ontario L8N 3T4

Dear Mr. Abraham:

RE: Application ZA-87-90

Hamilton General Homes (1971) Ltd.

Rushdale Neighbourhood

At the November 11, 1987 meeting of the Planning and Development Committee, the above-noted application was deferred. The reason for such deferral was to allow Staff an opportunity to prepare a By-Law which would incorporate specific convenience type neighbourhood commercial uses.

We have now had an opportunity to review in greater detail, the various commercial zoning categories contained with the By-Law and we have determined that the "G-4" Designed Neighbourhood Shopping Area contains a range of permitted uses similar to those which we have envisioned for this property. These uses are typical neighbourhood level or convenience type commercial uses which would be compatible with the surrounding medium density designations. Accordingly, on behalf of Hamilton General Homes (1971) Ltd., I hereby wish to amend the rezoning application so as to now apply for the "G-4" Zone.

One modification to this zoning category will, however, be required. In particular, paragraph "5" of this zone details certain regulations with respect to "intensity of use". This paragraph will have to be amended so as to recognize the lot area and irregular configuration of this parcel.

I trust that you will initiate this change and I hope that it does not create too much difficulty. Please provide both the undersigned and the applicant with copies of any pending Staff Reports and also please advise when this matter will again be considered by the Planning and Development Committee.

Yours very truly, PLANNING INITIATIVES

John S. Ariens, Director of Development

JSA/baw

cc: George Barclay



FOR ACTION



FROM	Planning and Development Department	DATE	November 16, 1987	
TO	Planning and Development Committee	Refer to File	le <u>P5-2-50</u>	
		Attention of	V. J. Abraham	

SUBJECT

Requested walkway closure between Cranbrook Drive and Greyfriar Drive, Gilkson Neighbourhood.

RECOMMENDATION

- 1. That the Neighbourhood Plan be amended to delete the walkway designation.
- 2. That the closure and disposal of the walkway be dealt with by the Transport and Environment Committee.

V. J. Abraham, M.C.I.P. Director of Local Planning Planning and Development Department

Alraham

J. D. Thoms, M.C.I.P.

Commissioner

EXPLANATORY NOTE

The owner of 265 Cranbrook Drive in the Gilkson Neighbourhood has applied to the Regional Department of Transportation for the closure of the existing walkway.

BACKGROUND

The Regional Municipality of Hamilton-Wentworth Department of Transportation forwarded a walkway closure request to the Planning and Development Committee for consideration. The request to close the walkway from Cranbrook Drive to Greyfriar Drive in the Gilkson Neighbourhood was made by the adjacent owners Mr. and Mrs. U. W. Whitby of 265 Cranbrook Drive. This request requires a Neighbourhood Plan Amendment before it can be processed by the Transport and Environment Committee.

Appendix "1" contains the original report to the Planning and Development Committee dated August 4, 1987.

Appendix "2" contains the Minutes of the Public Meeting held on October 5, 1987 to discuss the requested walkway closure. Nine people attended. Three people were in favour of leaving the walkway open; six wanted the walkway closed.

WRITTEN SUBMISSIONS

Submissions requesting the walkway closure (for location and submission see Appendix "3") were received from the following residents:

Mr. P. Repta 46 Greyfriar Drive Mr. S. Zavarise 42 Greyfriar Drive Mr. V.W. Whitby 265 Cranbrook Drive

The reasons outlined were as follows:

- i) User nuisance
- ii) Litter
- iii) Danger to cyclists, especially children
- iv) Safety
- v) Maintenance; and
- vi) Snow removal, etc.

A submission was also received from Mr. B. C. Castle of 257 Cranbrook Drive, who is not opposed to the walkway closure as he originally indicated at the Public Meeting, providing that:

- the adjacent owners obtain ownership of the land and;
- not one owner would be able to own land which would have frontages on both Cranbrook Drive and Greyfriar Drive.

His concern is that such a narrow parcel of land not belonging to an adjacent property would become unkept or a storage area.

PLANNING COMMENTS

The deletion of the walkway because of length of the residential block between Cranbrook Drive and Greyfriar Drive would have little impact on the overall pedestrian movements. This would eliminate safety and maintenance problems associated with the walkway.

The owners of the adjacent walkway requested the closure and have indicated their interest in buying the land.

ANALYSIS

The walkway provides a short cut for some residents of the block between Cranbrook Drive and Greyfriar Drive. The walkway was initially included in the Neighbourhood Plan and owners purchased their properties aware of the existing walkway.

However, considerable problems have been experienced by adjacent owners, some to do with maintenance, which could be improved, but others to do with use which is difficult to control.

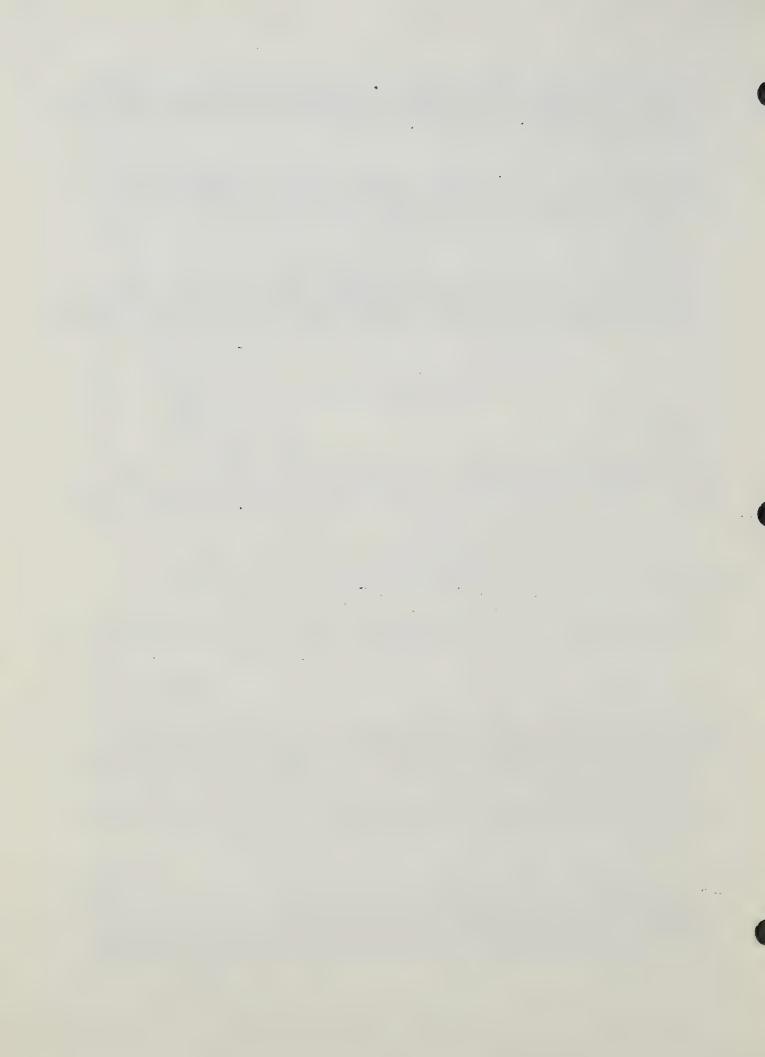
The adjacent owners are strongly in favour of walkway closure and disposal of the land. Those in favour of the walkway remaining open did not make submissions, but expressed their wishes at the public meeting.

CONCLUSION

The closure of the walkway will not adversely affect pedestrian movements in the area. In addition, closure will eliminate problems identified by the adjacent owners. Therefore, the requested walkway closure should be granted.

GG:dkp/cs

WP 0021P



FOR ACTION

FROM Planning and Development Department DATE August 4, 1987

TO Planning and Development Committee Refer to File P5-2-50

Attention of V. J. Abraham

SUBJECT

Requested walkway closure between Cranbrook Drive and Greyfriar Drive, Gilkson Neighbourhood.

RECOMMENDATION

That owners and tenants of the area be invited to a public meeting of the Planning and Development Committee to discuss the requested closure of the walkway.

EXPLANATORY NOTE

The owner of 265 Cranbrook Drive in the Gilkson Neighbourhood has applied to the Regional Department of Transportation for the closure of the existing walkway.

V. J. Abraham, M.C.I.P. Director of Local Planning

In aham

J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development Department

INTRODUCTION

The Regional Municipality of Hamilton-Wentworth Department of Transportation forwarded the request from Mr. and Mrs. V. W. Whitby of 265 Cranbrook Drive to close the walkway as shown on the attached map to the Planning and Development Committee for consideration. This request requires a neighbourhood plan amendment before it can be processed by the Transport and Environment Committee.

ANALYSIS

The walkway has been shown on the Gilkson Neighbourhood plan since it was approved in 1969.

The walkway was constructed in 1971 to provide pedestrian access to schools and a park, located in the centre of the neighbourhood.

- 2 -

The loss of the direct link will result in increased walking time and inconvenience for area residents especially to destinations such as the two schools and the park.

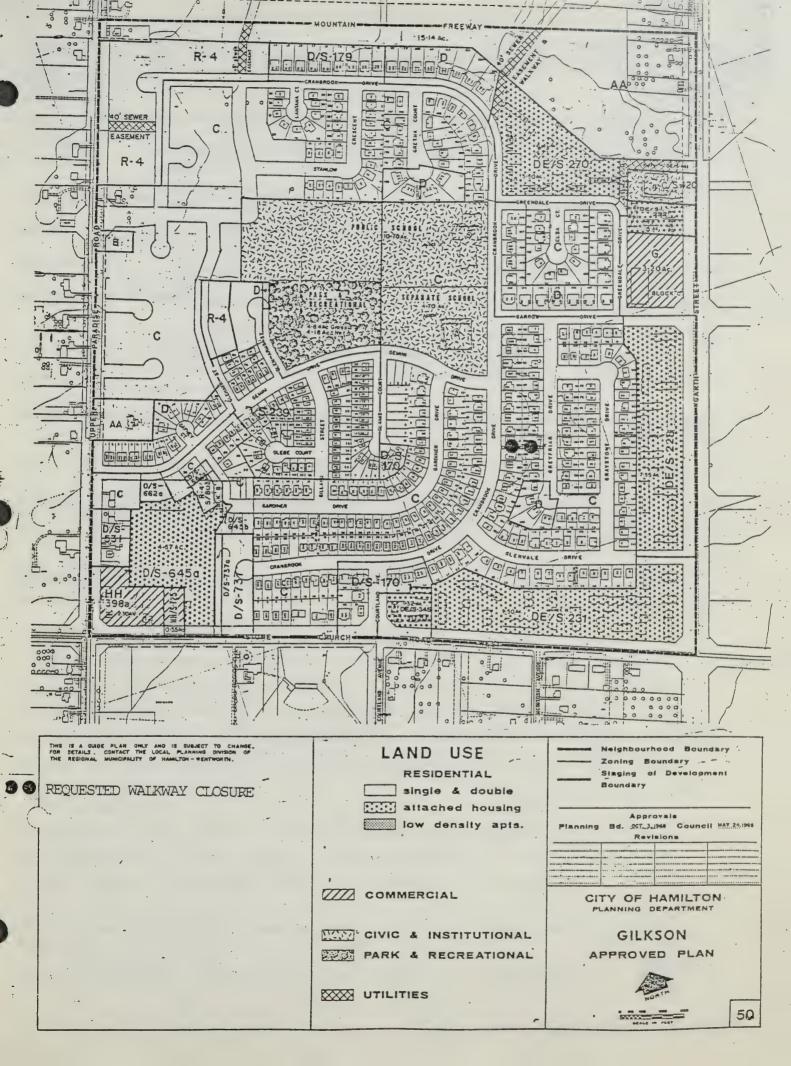
In general, walkways are important planning features which provide pedestrian movements within a neighbourhood.

CONCLUSION

The walkway generally improves intended pedestrian circulation in the neighbourhood. Therefore, the requested walkway closure should be subject to a public meeting.

GG/dkp

WP 0616P





THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Department of Transportation (ROADS) 71 Main Street West, Hamilton, Ont. L8N 3T4 (416) 526-4277 (TRANSIT) 18 Wentworth St. N., Hamilton, Ont. L8L 5V1 (416) 527-4441

P5-2-50

ID#0016D (30)

July 21, 1987

Refer to File No.

T103-03(2

Attention of

C. Haraso

Your File No.

TO:

D. Godley, Planning Department

FROM:

C. Harason, Transportation Technologist

RE: Request for Public Walkway Closure - Between

Garrow Drive and Glenvale Drive, from Cranbrook

Drive to Greyfriar Drive

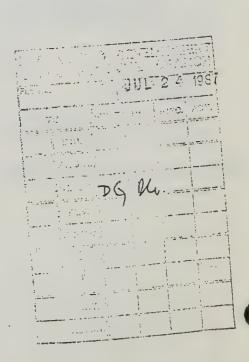
This department has received the attached request to have the above noted walkway closed.

Enclosed is a drawing showing the subject walkway.

Since this walkway is within an approved neighbourhood plan, we ask that this closure request be forwarded to the Planning and Development Committee for consideration.

Following the Committees decision, we will then forward the appropriate response to the applicant, or the Transport and Environment Committee.

CH:1j Encl.



Department of Transportation	LETTER No.
(ROADS) 71 Main Street West, Hamilton, Ont. L8N 3T4 (416) 526-4277	DEPT. OF TRANSPORTATIO
(TRANSIT) 18 Wentworth St. N., Hamilton, Ont. L8L 5V1 (416) 527-4441	JUL 20 1987
	OOL 20 1/8/
	DIRECTOR 1 AND ST
ID #0010D	PROJECT PUIS
ROAD ALLOWANCE CLOSURE APPLICATION FORM	ROAD PROGRAM ASA TO
	CUSTOMER SERVICE P
Applicants Name: H.W.INHITEG	F.LED BY
Address: 265 CRANBROOK DRIVE HAMILTON	
Telephone No.: 383-4819	
Date of Application: July 6, 1987	
Agents Name:	
Address:	
Telephone No.:	
Name of Proposed Road Allowance Closure:	
TO: WALKWAY WHICH RUNS FROM CRANGROOK TO: LEREYFIER DOUN SIDE OF PROPERTY 265 42.	<u> </u>
	2/ C now A david :
TO: LEREYFIER DOUN SIDE OF PROPERTY NOS	T & G C KAN BACCK.
1 42 .	46 GREYFIER.
Please indicate in the space below your comments or reasons why applying for this closure.	
BROKEN Spence. (Unsightly - clargerand.)
	deris
Weeds unsatrolled Sneping - Drinking	· lati
In might by young meinte I D wearing	1 "
Bushed Solar Clarket from disconelled C	injuretto.
Past & and organish in some I'm at Nd	morney.
71	
Please enclose your cheque for \$208.00, payable to the Regional Treas	
this application. In the event that your application for closure is	withdrawn
prior to Committee submission, \$100 will be returned to the applicant.	*
	a alla.
No refund is provided after submission of application to the Committee	. Keest 12
	770721
Please contact Mr. C. Harason at 526-4279 regarding this application.	CQ

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

ALCT Nº 0319-5312



MINUTES

1.

PROPOSED WALKWAY CLOSURE BETWEEN CRANBROOK DRIVE AND GREYFRIAR DRIVE

GILKSON NEIGHBOURHOOD

Public Meeting
Monday, October 5, 1987
7:30 P.M.
St. Catherine of Siena
20 Gemini Drive

(Under the Auspices of The Planning and Development Committee)

ATTENDING

Alderman D. Ross R. P. Meiers G. Groppler - City of Hamilton

Regional Engineering DepartmentPlanning and Development Department

Residents

Mrs. C. Robinson	-	253 Cranbrook Drive, Hamilton, Ontario L90	4T2
Mr. B. Castle	***	257 Cranbrook Drive, Hamilton, Ontario L90	4T2
Mr. and Mrs. W. R. Leier	-	260 Cranbrook Drive, Hamilton, Ontario L90	4T3
*Mr. and Mrs. K. W. Whitby	-	265 Cranbrook Drive, Hamilton, Ontario L90	4T2
Mrs. M. Snaidero	-	38 Greyfriar Drive, Hamilton, Ontario L9C	454
*Mr. S. Zavarise	-	42 Greyfriar Drive, Hamilton, Ontario L9C	4S2
*Mr. P. Repta	-	46 Greyfriar Drive, Hamilton, Ontario L9C	452

*Residents requesting walkway closure.

Alderman Ross explained that the meeting was an information session on the merits of the requested walkway closure between Cranbrook and Greyfriar Drive.

The Citizens were invited to express their views and encouraged to submit their concerns in writing by October 30, 1987. Notices to attend the Planning and Development Committee meeting at which the submissions will be reviewed will be sent to all residents in attendance.

Alderman Ross opened the meeting for discussion.

Mr. Paul Repta, 46 Greyfriar Drive, was the spokesperson for the residents who requested the walkway closure. He outlined the reasons why the walkway should be closed, ranging from:

- i) User nuisance;
- ii) Litter;
- iii) Danger to cyclists, especially children;
- vi) Safety;
- v) Maintenance; and,
- vi) Snow removal, etc.

Mrs. Chritiana Robinson, 253 Cranbrook Drive; Mr. Brian Castle, 257 Cranbrook Drive; and, Mrs. Marsha Snaidero, 38 Greyfriar Drive would like the walkway to remain open as a convenience they enjoy. They agree with the residents living adjacent to the walkway that the maintenance is a disgrace. However, they feel that better maintenance would improve the image of the walkway.

Gerry Groppler gave a brief background on the walkway, explaining the reasons for establishing the walkway in 1969.

Reg Meiers explained the walkway closure procedure.

GENERAL DISCUSSION

1. Who would be able to purchase the walkway land?

Comment

Alderman Ross explained it would be offered at market value to the adjacent property owners. If one of the property owners does not want to purchase his share of the land, then it would be offered to the adjacent owner.

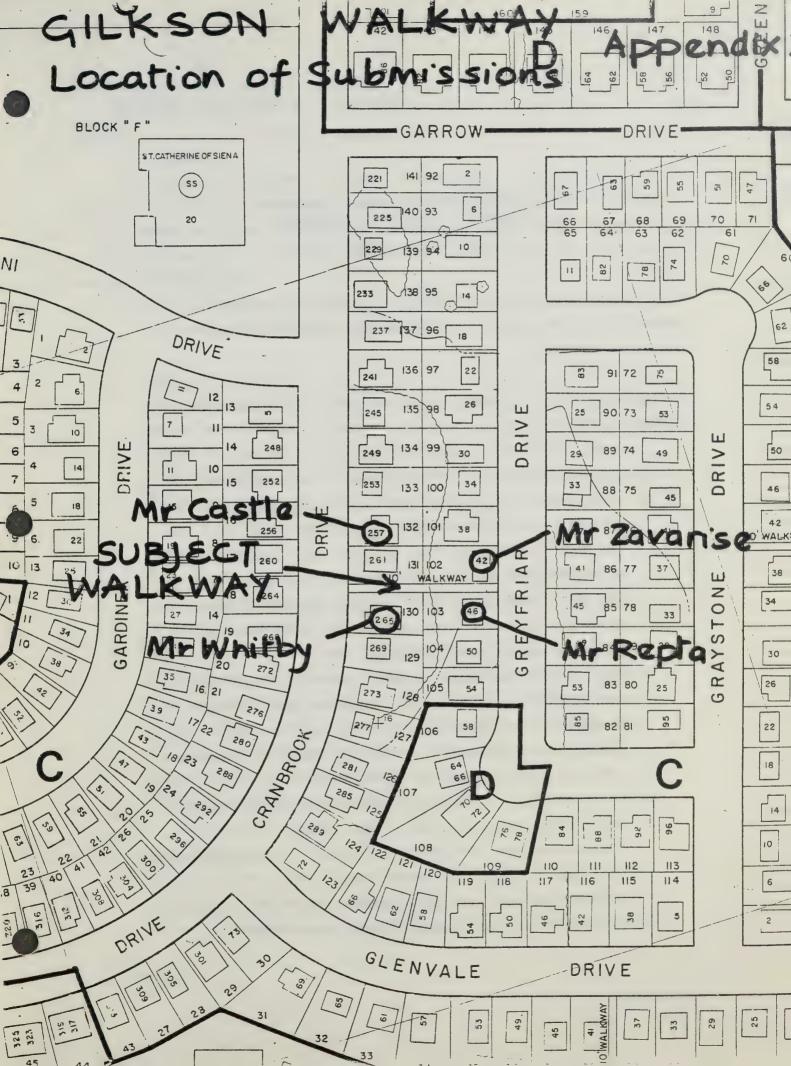
2. What cost, if any, would there be to the owners requesting the walkway closure?

Comment

Reg Meiers pointed out it is City policy not only to charge property owners the market value for the walkway land, but also costs for a survey, removal of existing walkway and fences, and any other item related to the walkway closure and disposal.

Alderman Ross summed up the meeting and invited the people to make written submissions by October 30, 1986. Notification to attend the submission review by the Planning and Devlopment Committee will be sent to all residents who attended the meeting.

The meeting adjourned at 8:45 p.m.



DGM

October 6, 1987

CLOSURE PUBLIC WALKWAY BETWEEN GREYFRIAR DRIVE AND CRANBROOK

On the evening of October 5, 1987, I attended a meeting at St. Catharine of Sienna School to discuss the closure of the above mentioned walkway.

Being one of the petitioners, I argued for closure using the following points:

- 1. Safety View north and south from east and west side
 - a) Kids running or riding bikes cannot see any approaching traffic (vehicular or pedestrian) when coming down the walkway. Bikes ride over the curb as no access ramps are there causing them to sometimes lose their balance and fall into the roadway. Vision is reduced even greater. As yet no one has been hit or killed but it could or possibly will happen.
 - b) Vehicles coming north or south on either street cannot see children coming out of the walkway and there is nothing to warn them of same (ie., road markings).

 Cranbrook, being a fairly busy and longer run presents even more of a hazard for car drivers.
 - c) West entrance on the north side has a fire hydrant that small children play around. They could be hit by a bike coming down the walkway because you cannot see them until you are right on top of them.
 - d) Little children that are unsure of themselves bang into the fences and fall over hurting themselves.

October 6, 1987 CLOSURE PUBLIC WALKWAY BETWEEN GREYFRIAR AND CRANBROOK (CONTINUED)

2. Garbage

Due to the winds and fence this area becomes a garbage collection area of papers and advertisements. Broken bottles usually amber in color are broken on the sidewalk and people that are taking dogs for walks are not above leaving deposits from same in this area.

Up until this point in time, this has been cleaned and taken care of by the adjacent home owners.

3. Weeds

For 15 years the City has never maintained the walkway. Home owners have. At a minimum of 2-3 times a year. This has involved purchasing weed killer and spray or soil defoliage spray and the work of digging out and packaging up for garbage collection.

4. Fence Condition

Numerous holes are visable, crease fencing also. This was usually caused by the snow plow the few times that snow removal has been done.

From top to bottom, some posts are 9" to 11" out of plumb leaning into the walkway causing a catching hazard. Support posts are not attached on the north and south sides causing fence to sag. Fence posts have heaved 4" to 12" at ground level - this 5' fence is now a 6' fence.

Sharp section of fence protrude into walkway and could cause damage to children using same.

5. Snow Removal

At the present time, for approximately the last 5 years, removal has been twice a year and usually only if snow is 1" or more in walkway. Removed snow is deposited at the entrance

October 6, 1987 CLOSURE PUBLIC WALKWAY BETWEEN GREYFRIAR AND CRANBROOK (CONTINUED)

5. Snow Removal (Continued)

ends as high as 4". This obstructs the view of vehicles using the roadways. As a taxpayer, I have to question what cost of removal is and what it would be if the City had to remove snow more often.

6. Pedestrian Safety

At night'time, the walkway is not lit and is extremely dark. Incidents have happened where younger kids have been detained and threatened by older groups that hang out in the walkways at night?

I have a thirteen (13) year old daughter whose friends have to be escorted through the walkway because they are afraid to go through on their own. Plus any garbage, glass, etc, cannot be seen at night.

7. Group Collection

The walkway is a meeting place in the summer for groups of kids to sit and smoke and sometimes drink beer (collected up to 17 bottles in walkway after such meetings) usually later at night. Two of the houses bordering on the walkway have pools and both owners have had to clean bottles, whole and broken, rocks, beer caps and other debriss out of their pools. I have to ask why one of the houses, with no fencing other than walkway fence, has been broken into and goods stolen 3 times. Could it be easy access over the fence and a clear view to see if anyone is in the home.

8. Cost

What would or will it cost the city and the taxpayer if the city has to replace or repair fencing, snow removal when it snows and not just heavy snow, weed control, garbage clean up

8. Cost (continued)

and possible law suit if someone is seriously hurt or killed as a result of using the walkway.

As a resident of this area, I can find no functional purpose of this walkway and as a taxpayer who is concerned about rising costs, I have to question if the money spent is justified.

Mr. Paul Repta

46 Greyfriar Drive

/sac

Serge ZODEYL 4268 CRANSROOK DRIVE Serge ZODEYL 426 GHAY PRIAMA



October 21, 1987

Top 18 and			
Standing 2	DEV	ELOR	inguines
0 000 1.53 39	MING	23	4110
File No.	IV SUC: YO	6:1.0	
	001	2	189
TO TAR	1111	1	
AND DESCRIPTION OF THE PERSON	14	1141-17	ACT.
CIE VJA	WR_		
RRGA	1		
100000000000000000000000000000000000000	,		1
PRE CALL		- Company Contract	
Of the course of	-	The same of the sa	-
DEV.	į		
E.S.U.D.		-	-
Second Second		ĺ	1
1 4G		Series Series	THE REAL PROPERTY.
4			
	î		
		The same of the sa	THE PARTY
CART.		į	
A TO A SOLE	-		
		ı	-

Mr. Gerry Groppler Planning Department

Dear Gerry:

RE: Closure of Walkway Cranbrook to Greyfriar

Please find enclosed a copy of a letter which I have received from $Mr.\ B.\ Castle$ regarding the above.

I agree with Mr. Castle's comments.

Would you please advise me of the date, time and place of the meeting when this matter will be heard so that arrangements can be made to advise the residents.

Your co-operation in this regard is very much appreciated.

Yours truly,

Don Ross

Alderman, Ward 8

rd

Encl.

257 Cranbrook Drive Hamilton, Ontario L9C 4T2



October 16, 1987

Mr. Don Ross Ward 8 Alderman City Hall Hamilton, Ontario

Dear Mr. Ross:

Following the meeting re: Closure of Walkway: Cranbrook to Greyfriar held on October 5, 1987 at Catherine of Sienna School, it would appear the issue comes down to convenience versus inconvenience.

My objections to the closure are based on the premise that the walkway is an existing convenience the city has a responsibility to maintain properly for my community. I appreciate that there is an inconvenience for those immediately adjacent.

In weighing the two sides, I am prepared to withdraw my opposition under the following condition:
The 10 foot walking land be purchased or added to existing land lease of the properties immediately north or south of the walk-way. This must be done in a way that doesn't result in one small parcel remaining with the city, or with a Greyfriar property owning a narrow strip of land fronting on Cranbrook Dr. My concern is that such a narrow parcel of land not belonging to an adjacent property would become unkept or a storage area.

I appreciate the opportunities to express concerns in this matter and I am confident it will be satisfactorily resolved.

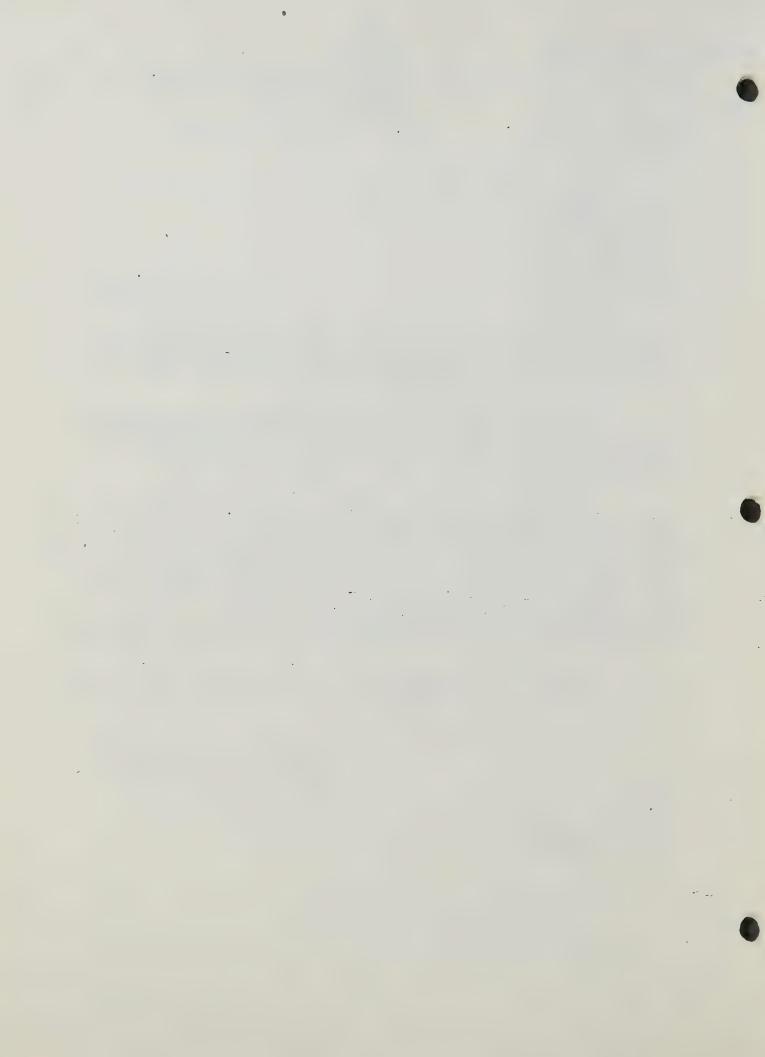
Sincerely,

Brian C. Castle

c.c. Four adjacent properties

to walkway

BC:mj



FOR ACTION

FROM: Planning and Development Department

DATE: November 13, 1987

T0:

Planning and Development Committee

File No.:

P5-2-105

Attention Of: V. J. Abraham

SUBJECT

Draft Official Plan Amendment No. 12.

Draft Zoning By-law 84-46

Normanhurst Neighbourhood

RECOMMENDATION

That Sections 1, 4 and 5 and Schedule A and A5 be deleted from By-law 84-46.

V. J. Abraham, M.C.I.P.

Director of Local Planning

-Ahaham

J. D. / Thoms, M.C.I.P.

Commissioner

Planning and Development Department

EXPLANATORY NOTE

City Council passed a By-law changing the zoning of Union Gas, Coca Cola, H.H. Robertson and Parkdale Auto Wreckers from "K" (Heavy Industry, etc.) to "J" (Light and Limited Heavy Industry) as well as other zoning changes as a result of a neighbourhood plan study for the Normanhurst Neighbourhood. The City asked the O.M.B. to delay the hearing on the By-law until a conclusion was reached on similar zoning proposed for the Keith Neighbourhood.

Since the O.M.B. denied the Keith zoning and industries object to the rezoning, the Department is recommending that Council delete rezoning of the industrial lands. The effect of the recommendation is to maintain the "K" (Heavy Industrial Zoning). The Business Land Use Advisory Board support this recommendation.

BACKGROUND

By-law 84-46 and Official Plan Amendment 12 implements the Normanhurst Neighbourhood Plan. The Zoning By-law provides for the rezoning of certain industrial properties from the "K" (Heavy Industry, etc.) District to "J" (Light and Heavy Industry, etc.) District. In addition, the By-law and Official Plan Amendment provide for other zoning and land use changes. These additional changes are not addressed in this study, rather, the study addresses only the industrial rezonings.

The following is a chronology of events leading up to the present:

- City Council adopted a Neighbourhood Plan for Normanhurst on December 13, 1983, which included citizen participation (see Map 1).
- On January 10, 1984 Council adopted Official Plan Amendment 12 (see Map 1 and Appendix 2) and By-law 84-46 (see Map 2 and Appendix 3) to implement the Neighbourhood Plan. The By-law proposed a change in zoning from "K" (Heavy Industry, etc.) District to "J" (Light and Limited Heavy Industry, etc.) District for properties owned by H. H. Robertson, Parkdale Auto Wrecking, Coca Cola and Union Gas. This zoning change eliminated 46 incompatible industrial uses from the subject area (see Normanhurst Industrial Rezoning Map in Appendix 7). Appendix 3 shows the uses eliminated.
- An objection to the Official Plan Amendment was received from H. H. Robertson Inc., 441 Parkdale North. In addition, H. H. Robertson objected to the By-law 84-46 which rezoned those lands from "K" to "J". It should be noted that other objections to the Zoning By-law were submitted, however, these do not affect the industrial re-zoning and, therefore, are not relevant to this review.
- o On February 27, 1985 the Planning and Development Committee requested that the Ontario Municipal Board hold the Official Plan Amendment and Zoning By-law Amendment in abeyance until the outcome of the Keith Zoning Buffer hearing was resolved. The decisions on the Keith Zoning Buffer had bearing on the Normanhurst rezoning.
- O Council at its meeting of September 25, 1985 decided not to appeal the OMB decision for the Keith zoning buffer. The OMB decision denied the Keith rezoning and Official Plan Amendment (Appendix 4). See Appendix 5 for a response to the O.M.B. decision.
- o The North Central Community Association appealed the CMB decision to Cabinet. The Cabinet decided that this Association was not entitled to appeal the decision because it was not incorporated and therefore not a legal entity. As such, the CMB decision stood.

The Business Land Use Advisory Board first considered the matter on December 19, 1986 (Appendix 6). After considering various options (Appendix 7) they decided that the Keith approach should be applied to Normanhurst rather than the single "K" to "J" rezoning as proposed in By-law 84-46. In addition, the Board felt existing industries should be recognized as legal conforming uses. Accordingly, in order to implement this approach a new rezoning is required and a public meeting should be held.

The Board also wanted to meet with representatives from industry before the public meeting for the rezoning.

- The Board met with representatives from all the affected industries on April 3, 1987 (Appendix 8). The industries opposed any additional rezoning or site plan restrictions, citing that the Ministry of Environment controls through the Environmental Protection Act were sufficient, as well as, citing the OMB decision which found the Keith approach unacceptable.
- The Board met again on April 24, 1987 to discuss the matter (Appendix 9) and recommended that the proposed Zoning By-law affecting the industry be withdrawn and the "K" heavy industrial zoning be restored. The Board was concerned that based on the decision of the QMB regarding the Keith rezoning, it would be inappropriate to undertake a similar approach in the Normanhurst Neighbourhood. It was felt that the net effect of an QMB hearing would be that considerable time and money would be spent and that negative feelings would be created in the industrial community, with little or no chance of success.

The Keith Zoning Approach

The issue of allowing industry and residential uses to co-exist compatibly has been addressed primarily through the neighbourhood planning process over the past 15 years. It is recognized that certain types of industries may be suitable to locate nearby residential uses, while other industries would not be appropriate. The policies and zoning applied next to the Keith Neighbourhood has application in the Normanhurst situation. The Keith zoning approach offered a more effective solution than the simple "K" to "J" proposal originally used in the Normanhurst rezoning. Therefore, the Keith approval should be considered.

During the Keith rezoning process it was recognized that a simple rezoning from heavy industry to general industry was not the best approach. A detailed analysis of industrial uses and their compatibility with neighbourhood uses was conducted with input from the Ministry of Environment, The Occupational Health Program at McMaster University and the Fire Department. From this analysis the Keith Buffer proposal was devised (see Appendix 10).

In the Keith rezoning, the purpose was to remove 41 uses from the heavy industrial zone, thereby preventing the establishment of possible incompatible uses in the future. The intention of removing these uses was to ensure that residents are not subject to air pollution (including dust, particulates and odour), noise pollution (including noise and vibration), fire hazards and/or health hazards.

CONCLUSIONS

A number of options for action have been considered in the Normanhurst situation including the following:

- 1. Support the existing By-law 84-46. In this case the "K" District Zoning would be changed to "J" District for Coca Cola, Union Gas, H. H. Robertson and the Auto Wrecking Yard, affectively eliminating 46 industrial uses from the presently permitted 490 permitted uses.
- 2. Delete the proposed rezonings. In this use By-law 84-46 would be rescinded and the "K" District zoning would remain on the affected industrial lands.
- 3. Delete the proposed industrial rezoning from the H. H. Robertson lands. In this case, the "K" District zoning would remain on the H. H. Robertson property but the zoning of the other industrial properties would be rezoned "J" from "K". This would eliminate the objections from H. H. Robertson, the only official objector to the industrial rezonings, and result in only a minimal impact on surrounding residential areas since it is this industry located the furthest from housing in the Neighbourhood.
- 4. Apply the Keith Buffer Zoning Concept. In this case, the "K" District zoning would be modified to eliminate 41 industrial uses from the permitted 490 uses. Existing uses would be permitted on the specific site through permitting the generic use eg. H. H. Robertson would be zoned to permit "metal products manufacturing". Site plan control would also be applied to the industrial properties.
- 5. Modified Keith Buffer Zoning would be applied in this case. The "K" District zoning would be modified to eliminate 33 of the most problematic and exceptionally problematic industrial uses identified during the Keith rezoning process (see Appendix 11). Appropriate changes would be supported in an Official Plan Amendment.
- 6. A further modified Keith Buffer zoning approach could be applied. In this case only the 21 exceptionally problematic industrial uses would be eliminated from the "K" District zoning (see Appendix 11). Appropriate changes would be incorporated by an Official Plan Amendment.

The general approach used in the Keith rezoning, has been considered for Normanhurst in a number of the options (4, 5 and 6) to ensure that industry nearby residential areas does not adversely affect the safety, health and living conditions for residents. As discussed earlier, this approach is preferable to simple "K" to "J" rezoning outlined in option 1 and 3.

Since the Normanhurst Options 4, 5 and 6 are based on the Keith approach, the Keith OMB decision is of particular importance. The decision recognizes the planning principle involved in restricting industrial uses, stating:

"... it is perfectly clear to the Board from the evidence that there are certain industrial operations which should not take place within the proposed buffer, or for that matter, for a substantial distance beyond such a buffer. Amongst such uses would be a Coke Oven, a Garbage Dump, a Paper Mill, and other large industrial uses listed in the proposed by-law, and the Board has no doubt that the landowners would accept the prohibition by by-law of a few of such obvious categories of use."

However, the OMB did not accept the analysis used to determine the list of prohibited uses, stating that the restrictive uses were too "broad" and could include hundreds of different uses. The decision stated:

"Perhaps this (problem) could have been overcome by the proponents of the by-laws with more consideration given to the industrial uses involved, including their component uses, in light of modern industrial techniques."

As a result of the OMB's decision to turn down the Keith rezoning and Official Plan Amendment, it appears unlikely that approval will be granted for a proposed Normanhurst industrial rezoning, which is based on the Keith approach. Additional scientific analysis must be undertaken before specific industrial uses are restricted from the appropriate zoning district in order to satisfy the OMB:

The Business Land Use Advisory Committee originally favoured the Keith Zoning approach in the Normanhurst situation, rather than the simple "K" to "J" rezoning used in By-law 84-46. However, after reviewing the results of the CMB decision for the Keith rezonings, and meeting with representatives of the affected industries the Board recommended that the zoning for the industries affected revert to "K" (Heavy Industrial, etc.) District for the following reasons:

- a rezoning from "K" to "J" is not approprite since it would not eliminate all incompatible uses. In addition, some of the affected industries would become legal-non-conforming uses, resulting in limits for physical and product expansions;
- 2) without any additional scientific analysis, the OMB decision on the Keith rezoning makes it unlikely that the same approach will be successful in Normanhurst;
- 3) the time and cost involved in a lengthy Ontario Municipal Board hearing is not warranted in this case; and,
- 4) the proposal would cause negative feelings in the industrial community.

The Department shares these concerns. However, sound planning principles dictate that certain industries that are presently permitted are not appropriate or compatible with nearby residential uses. The OMB decision also alluded to this. Although both the "K" to "J" rezonings and Keith approach are not appropriate at this time in light of the concerns, consideration could be given to other approaches which will assist in ensuring compatible development including:

- o additional Official Plan policies which provide protection to the safety, health and living conditions of residents near industries and implemented through appropriate actions;
- o additional scientific analysis of industries to determine appropriate and inappropriate industries, as well as distance requirements given new environmental technologies being applied to industries;
- o development of appropriate emergency planning measures to ensure residents' safety in the area; and,
- o establishment of appropriate buffers between residential and industrial areas, possibly mixed/use zones.

Based on the above comments, the proposed "J" District rezoning for the affected industries should be rescinded since it does not effectively ensure compatibility between industrial and residential uses in the Normanhurst Neighbourhood. In addition, the Keith rezoning approach should not be supported at this time since it is clear that much more detailed and scientific analysis of incompatible industries is required to satisfy the OMB.

Therefore, the zoning for affected industries should revert to the original "K" zoning.

BJ/dkp

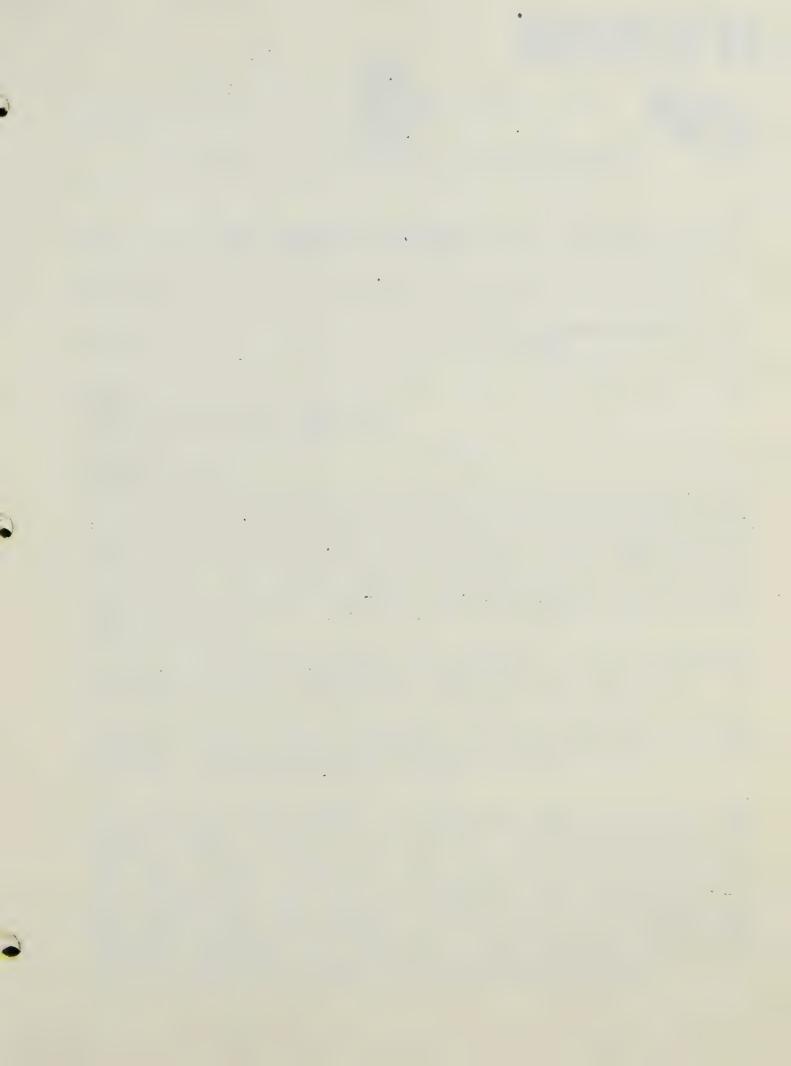
c.c. - Members of the Business Land Use Advisory Board

WP 0021P

Secretary's Note:

The aforementioned Report was previously presented to the Planning and Development Committee. Copies are available from the Secretary upon request.

Susan K. Reeder Acting Secretary







ADDED 4q.

THE CORPORATION OF THE CITY OF HAMILTON

	Director of Property	DATE November 20, 1987
FOR ACTION	FOR INFORMATION $\square x$	File No. <u>38.1.209(4506)</u>
TO: CITY COUNCIL	(OR) PL	ANNING & DEVELOPMENT Committee

SUBJECT

Bayview Glen Estates Subdivision 5% Cash-in-lieu Valuation

FOR INFORMATION

Arosa Properties Limited is appealing this department's valuation of its lands in the Bayview Glen Estates plan of subdivision. The basis of the appeal, as we understand it, is that the subject lands were sold by Arosa last year for \$2,255,000 whereas the valuation for the 5% cash-in-lieu payment prepared by this department is \$2,755,000. This latter amount is approximately 22% higher than the selling price and represents an extra \$23,000 that Arosa is required to pay under the cash-in-lieu provision of Section 41 of the Planning Act.

We are in no way challenging the authenticity of the \$2,255,000 transaction price, and indeed, Arosa has been most generous in providing supporting documentation relating to the sale.

While the actual bone fide open market sale of the subject lands is usually a very reliable estimate of value, there are, in our opinion, two reasons why the transaction price in this instance does not reflect current market value.

The documentation provided by Arosa shows the negotiations were completed, and the agreement finalized, on August 5th, 1986, and would, assuming a bone fide agreement, reflect market conditions and values prevailing at that date. The date of the valuation of the land for the 5% payment is set out in Section 4(6) of the Act as "the day before the day of the issuance of the building permit". The first permit was issued on February 19th, 1987, before the subdivision was registered, with the bulk of the development occurring June 19th, 1987 and later. Even if the February date is accepted as being the effective date of the appraisal, it is still six and a half months after the negotiations to sell were



November 20, 1987 Planning & Development Committee Page 2

Continued...

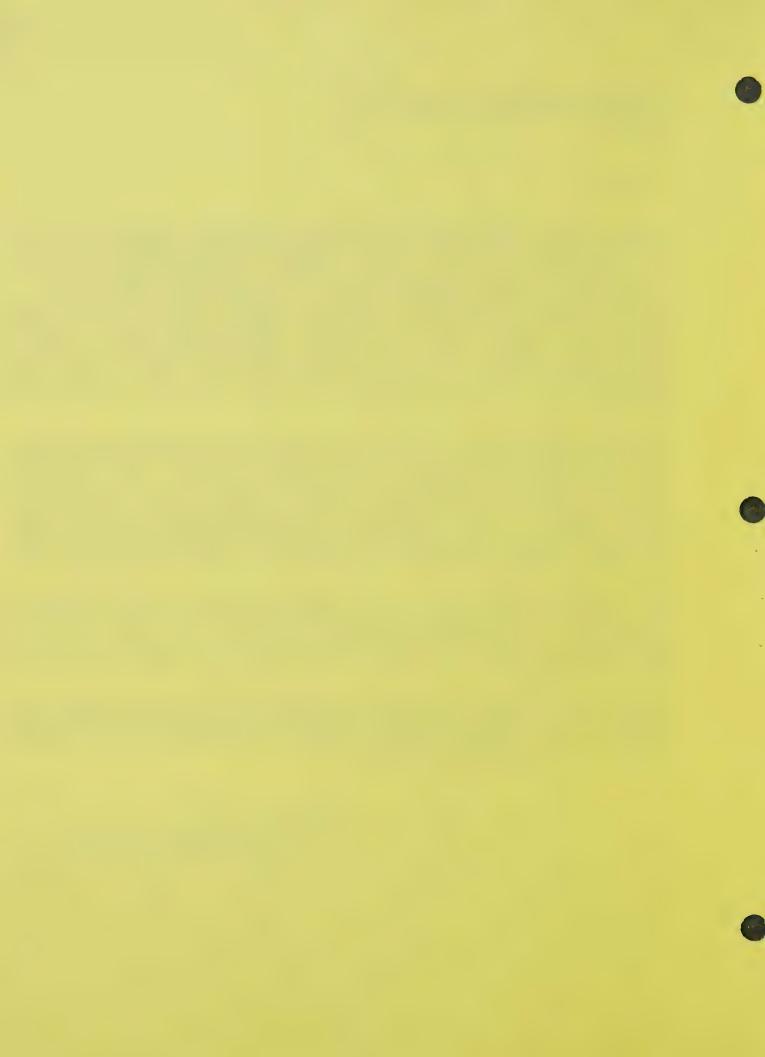
completed. While this might initially appear to we an insignificant time frame for the 22% discrepancy in values, it must be remembered that this was a period of unprecedented boom for residential housing and land: a time of multiple offers for each listing and "flips" before closings. Metropolitan Hamilton Real Estate Board figures for this time period show median February residential prices 29% higher than six months earlier, and average prices 23% higher. In our opinion, this intense market activity and increased value levels of housing directly relates the value of residential land and renders the Arosa sale out of date and inappropriate for use in reflecting market value as specified in the Act.

A second factor that we feel contributes to the disparity between the purchase price and our current valuation can be attributed to the discount typically granted for volume purchase. The advantages to the vendor in reducing carrying costs, legal fees and the earlier opportunity to liquidate into a cash position provides the large buyer with more leverage in negotiating prices over single lot purchasers. For complete subdivision purchases like the case at hand, we have found that the discount is typically in the 10 to 15 per cent range.

If recognition is given to the volume purchase and the difference in valuation dates as being legitimate factors that warrant an adjustment in last August's transaction price, an argument could be made that the value for the 5% should be in the order of 33 to 44 per cent higher.

While we can appreciate Arosa's position, having so recently been involved in a bone fide transaction involving the subject lands, we believe our valuation fairly reflects the value of the property given the circumstances involved.

Willy ce-



AROSA PROPERTIES LIMITED

5740 YONGE STREET, SUITE 103
WILLOWDALE, ONTARIO M2M 8T4
TELEPHONE 226-4888

October 23rd, 1987

City of Hamilton, City Parks & Recreation Committee, 71 Main Street West, Hamilton, Ontario. L8N 3T4

Attention: Mr. R.C. Prowse, Secretary

Dear Mr. Prowse:

Re: Cash Payment in Lieu of 5% Parkland Dedication for Bayview Glen Estates - Phase I

I wish to appeal the decision of Mr. Bryon Robertson the Appraiser/Senior Property Officer with respect to the above.

A copy of our two (2) previous letters to the Property Department are enclosed for your reference. Please advise me as to a time you can schedule a hearing in this matter.

Yours truly,
AROSA PROPERTIES LIMITED,

E.C. LaBerge, President.

ECL:sb
Enclosures.



AROSA PROPERTIES LIMITED

5740 YONGE STREET, SUITE 103
WILLOWDALE, ONTARIO M2M 8T4
TELEPHONE 226-4986

September 25th, 1987

City of Hamilton, 71 Main Street West, Hamilton, Ontario. L8N 3T4

Attention: Mr. Bryon Robertson

Dear Sir:

Re: Cash Payment in Lieu of 5% Park Land Dedication for Bayview Glen Estates Phase 1 & 2

In reply to your letter of September 9th, 1987 please be advised that all 66 lots are being sold for the \$2,255,000.00. It was only because of a survey error that it was done in Phase 1 and 2 but the contract calls for the purchase of all 66 lots at a price of \$2,255,000.00.

I fail to appreciate your argument about a "bulk price" and in any event this was certainly the sale price and I consider it grossly unfair that you should be basing your charges on a price higher than what we received. Could you pleae advise me of the address of the Land Compensation Board and is this appeal made to the Ontario Municipal Board at the same time or is the Land Compensation Board a division of the Ontario Municipal Board.

Yours truly, AROSA PROPERTIES LIMITED,

E.C. LaBerge, President.



AROSA PROPERTIES LIMITED

5740 YONGE STREET, SUITE 103
WILLOWDALE, ONTARIO M2M 3T4
TELEPHONE 226-4886

August 13th, 1987

BY COURLER

City of Hamilton,
Real Estate Department,
71 Main Street West,
Hamilton, Ontario.
L8N 3T4

Attention: Mr. Bryon Robertson

Dear Mr. Robertson:

Re: Caroga Manor

Further to our conversation of today I am enclosing a copy of our sales agreement with Sol Frankel's company Caroga Manor. You will certainly see that except for the smallest lots we certainly received far less than \$1,000.00 per front foot on which figure you are basing your cash in lieu contribution for parks.

Yours truly, AROSA PROPERTIES LIMITED,

E.C. LaBerge, President.

ECL:sb Enclosure



FROM:	Planning and Development Department	DATE:	November 19, 1987
T0:	Planning and Development Committee	Refer to	File No. DA-87-31
			D A- 87 - 55
			DA-87-72
			DA-87-80
			DA-97-02

BACKGROUND

The attached Site Plan Control Applications have been approved by the Chairman of the Planning and Development Committee and the Alderman of the Ward.

JPS/dkp

WP 0021P



FROM	Planning and Development Department	DATE October 29, 1987
то	Planning and Development Committee	Refer to File No. DA-87-31
		Attention Of V. J. Abraham

PROPOSAL

Plans have been submitted to construct a three storey, brick-faced, commercial development to be constructed at the south-east corner of King Street West and Hess Street South. The building will consist of retail use on the first floor facing King Street West and offices on the second and third floors with access from Hess Street South.

A loading space and one parking space are located at the rear of the building with a driveway to Hess Street South.

RECOMMENDATION

That approval be given to Site Plan Control Application DA-87-31 by Archie Akyildiz, owner of the lands at 263 King Street West, for a three storey commercial development subject to the following:

- modification to the plans related to dimensions, notes, and langscaping as marked in red on the plans;
- b) provision of a note on the plans indicating the proposed building material is brick;
- c) revision of the building elevation to provide a commercial office appearance rather than a residential appearance to the satisfaction of the Director of the Planning and Development Department; and,
- dedication to the Region of Hamilton-Wentworth of the required road widening along King Street West of 1.71 m (5.63 ft.) as shown on Survey Plan P-752A; and,

provision of the appropriate paving agreements for works on the road allowance.

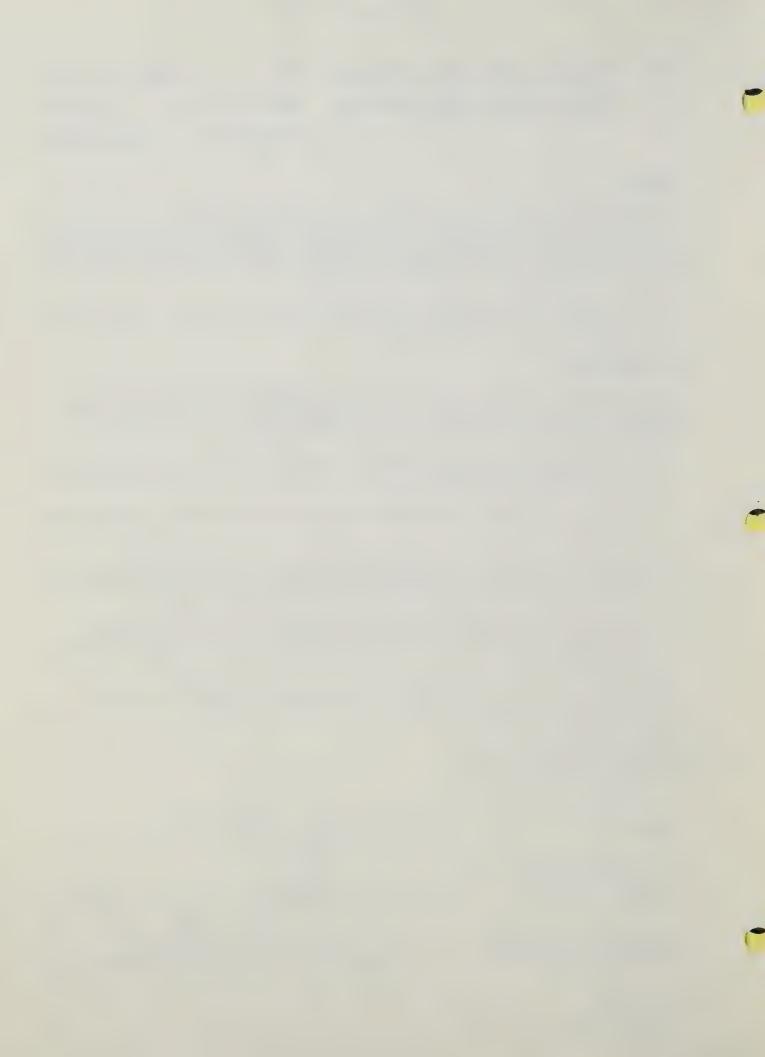
ictor J. Abraham, M.C.I.P. Director of Local Planning

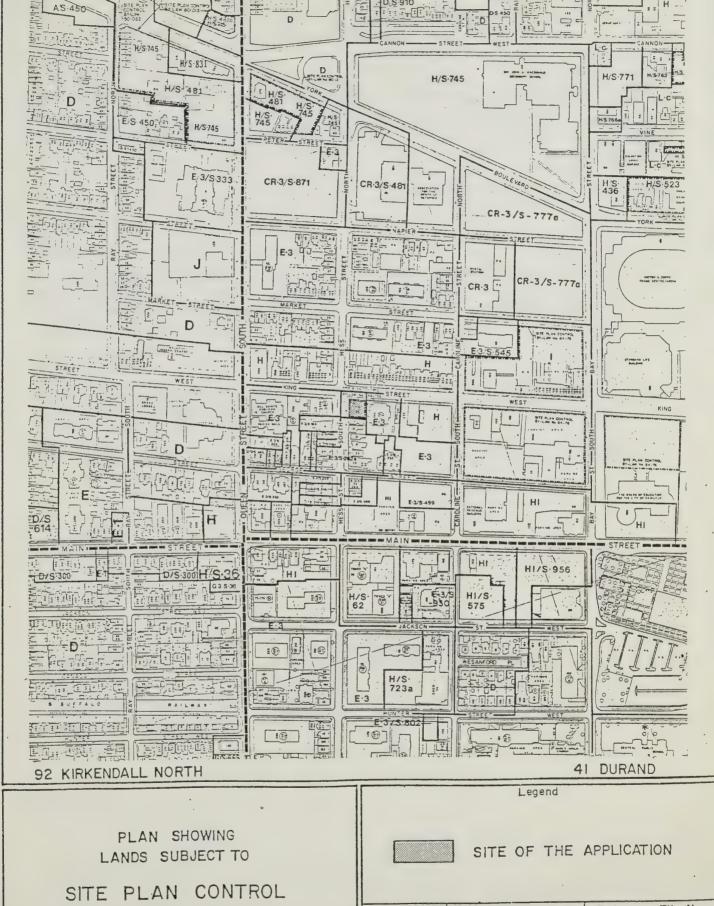
Approved On:

Alderman John Smith Chairman

Alderman Bill McCulloch Ward Alderman

VJA/JPS/jd W.P.DOC.0390P





APPLICATION DA-87-31

Regional Municipality of Hamilton-Wentworth Planning and Development Department

North	Scale .	Reference File No.
A	1:5,000	DA-87-31
A Land	Date MAY,1987	Drawing No. 87-H-36



FROM	Planning a	and Development	Department	DATE		October	30, 1987
ТО	Planning a	and Development	Committee	Refer	To Fil	e No	DA-87-55
		7				NEIG	RYMAL HBOURHOOD
				Attent	ion Of	٧.٠.	Abraham

Proposal:

Plans have been submitted for a one-storey industrial building at 220 Nebo Road. The proposal includes approximately $1,603m^2$ ($17,245ft^2$) of building coverage and 31 parking spaces. The proposed building material is split ribbed concrete block.

Recommendation:

That approval be given to <u>Site Plan Control Application DA-87-55 by Frank Fontana Construction Ltd.</u>, owners of the lands at 220 Nebo Road for a one storey industrial building subject to the following:

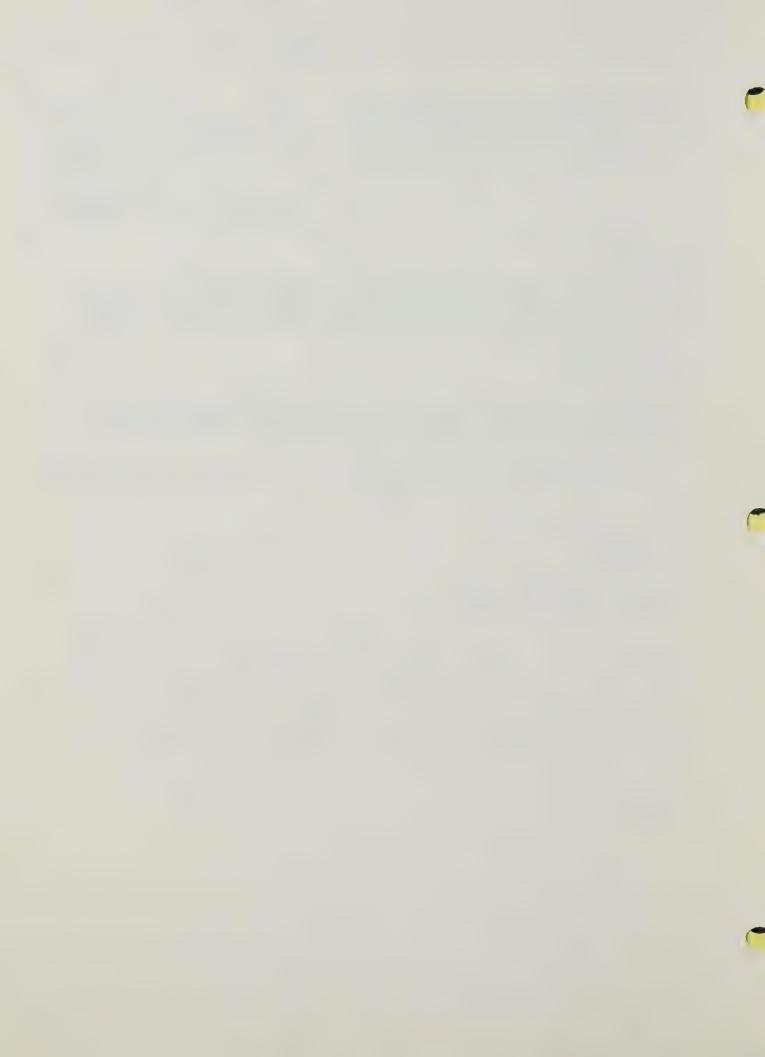
a) modification to the plans related to dimensions, notes and landscaping as marked in red on the plans.

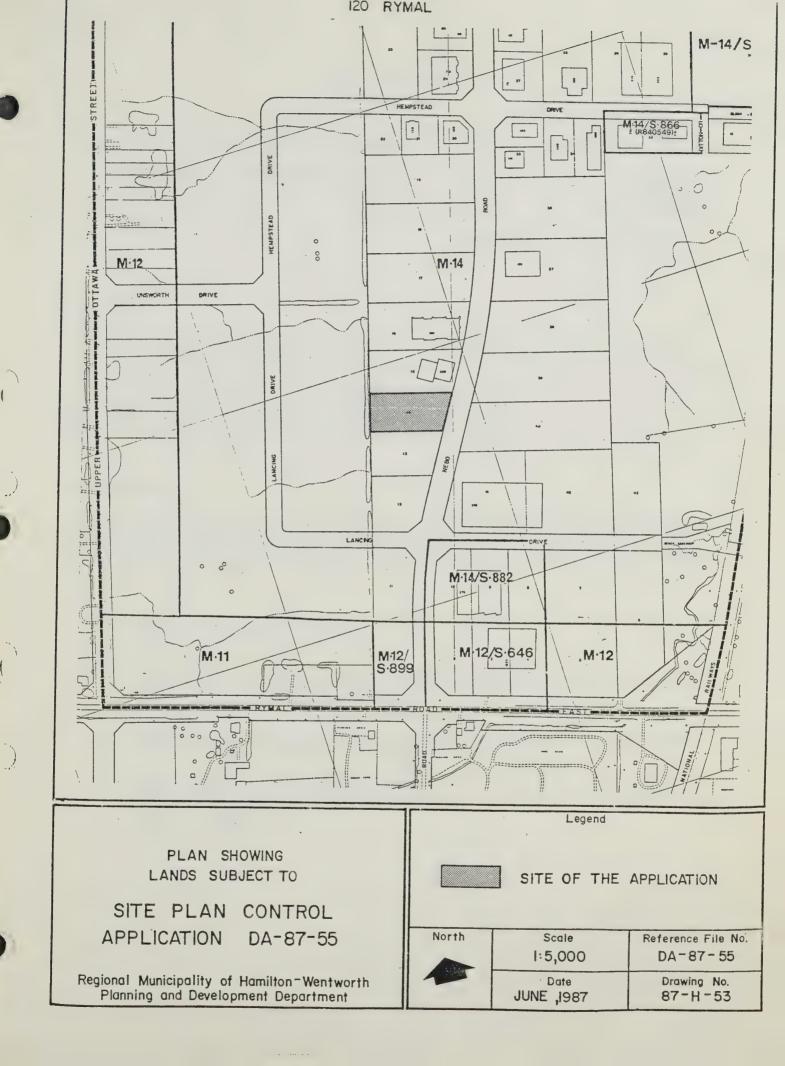
Victor J. Abraham, M.C.I.P. Director of Local Planning

Approved date

Alderman John Smith Chairman and Ward Alderman

JM/JPS/sh







FROM	Planning	and	Development	Department	DAT	E			Nov	ember	5,	1987
T0	Planning	and	Development	Committee	Ref	er	То	File			THO	87-80 DRNER RHOOD
			·		Att	ent	ioi	n Of		٧.J.	Abra	ham

Proposal

Plans have been submitted for a commercial development to be constructed on the south side of Limeridge Road East, east of Upper Wentworth Street. The development will be constructed in three phases. Phase one, which is outlined in red on the plan, consists of a McDonald's restaurant, a drive-thru lane and approximately 50 parking spaces. Phases 2 and 3 to the east and west of the proposed restaurant, are shown on concept form and will be the subject of future Site Plan Control Applications at the appropriate time of development.

Recommendation

That approval be given to <u>Site Plan Control Application DA-87-80 by Jamestown Construction Limited</u>, <u>owner</u> of the lands on the south side of Limeridge Road East, east of Upper Wentworth Street for phase one of a commercial development for a McDonald's restaurant, subject to the following:

- (a) modification to the plans related to dimensions, notes and landscaping as marked in red on the plans;
- (b) notation on the plan that buildings number 2 and 3 as marked in red on the plans are subject to future Site Plan Control Applications when development is intended to proceed;
- (c) submission of a grading plan to the satisfaction of the Commissioner of the Hamilton-Wentworth Engineering Department; and,
- (d) dedication of a 3.05 m road widening as shown on Part 1, Reference Plan 62R-6807 to the City of Hamilton across the total frontage of the subject property;



and further;

In regard to condition (d), a letter of undertaking from the owner and his solicitor to proceed and complete the required road widening by December 31, 1987.

Smik

V.J. Abraham, M.C.I.P. Director of Local Planning

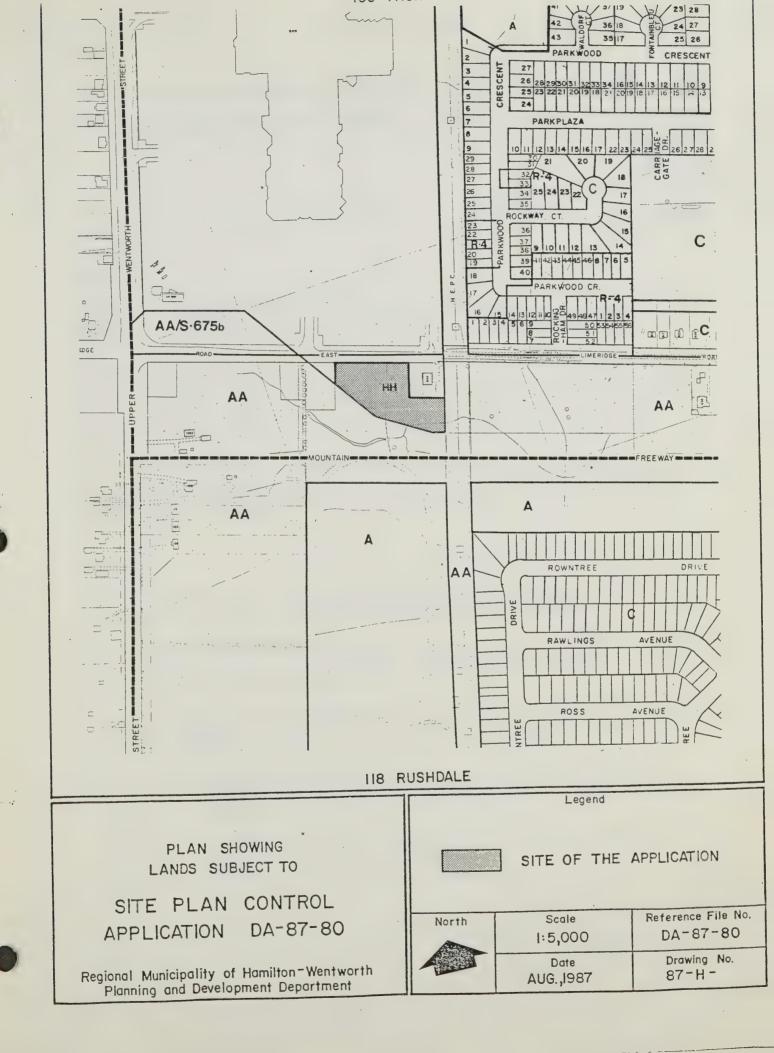
Approved date

Alderman John Smith Chairman

Alderman Henry Merling Ward Alderman

JPS/sh/0415P







FROM	Planning	and	Development	Department	DATE			Novembe	r 5,	1987
Т0	Planning	and	Development .	Committee	Refer	То	File		(DA-8 (DA-8 STRA	87-92 87-96) 87-08) THCONA JRHOOD
					Atten	tion	of	٧.J.	Abra	aham

Proposal

Plans have been submitted to amend the approved plans of Site Plan Control Application DA-87-08 for a commercial plaza to be located on the west side of Dundurn Street South between King Street West and Main Street West.

The modifications in the plan relate to changes in the overall dimensions of the restaurant structure to be located at the south end of the site. The building envelope changes from 15.5m (5lft.) by 25.9m (85ft.) to 19.9m (65ft.) by 27.5m (90ft.). These overall dimensions allow for various building projections yet maintain the previously approved driveway dimensions.

The elevations for the proposed McDonald's restaurant which were previously not available have been submitted as part of this application. The two storey brick structure faces Dundurn Street with "McDonald" signage on the west, south, and east elevation.

Comment

On April 13, 1987, Site Plan Control Application DA-87-08 was approved and included a variety of conditions which included the following:

- (a) provision of an undertaking from the owner that a landscape plan for the site will be submitted for approval within three months from the date of approval of the application; and,
- (b) provision of an undertaking from the owner that the following road widenings will be dedicated to the Region of Hamilton-Wentworth at the expense of the owner prior to May 31, 1987:
 - i) on King Street West, at the end of the site, a 1.5m x 6m triangular parcel to contain the existing sidewalk with the road allowance;
 - ii) on Main Street West, a 1.5m road widening to provide for pavement and sidewalk widenings; and,



iii) on Dundurn Street South, a 2.1m widening to provide for proper width traffic lanes and sidewalk on the west side of the road, made more critical by this development.

The attached two undertakings were received from the applicant and the final plans of Site Plan Control Application DA-87-08 were released to the Building Department on April 15, 1987.

On September 15, 1987, land scape plans were submitted by the applicant's land scape architect and circulated for comments. On October 22, 1987, staff representatives met with the land scape architect to discuss various concerns and comments. To date no further land scape plans have been submitted.

With regard to required road widenings, the Department is not aware of any action by the applicant to proceed with the dedication to the Region.

(Dominic J. Rosart, owner of the lands at 50 Dundurn Street South, verbally assured Victor J. Abraham in a telephone conversation on November 5, 1987 that the conditions for approval of DA-87-08 were presently being prepared and would be satisfied.)

Recommendation

That approval be given to <u>Site Plan Control Application DA-87-92</u> by Rosart <u>Properties Inc.</u>, <u>owner</u> of the lands at 50 Dundurn Street South, to allend the approved plans of Site Plan Control Application DA-87-08 for a commercial plaza subject to the following:

a) modification to the plans related to dimensions and notes as marked in red on the plan;

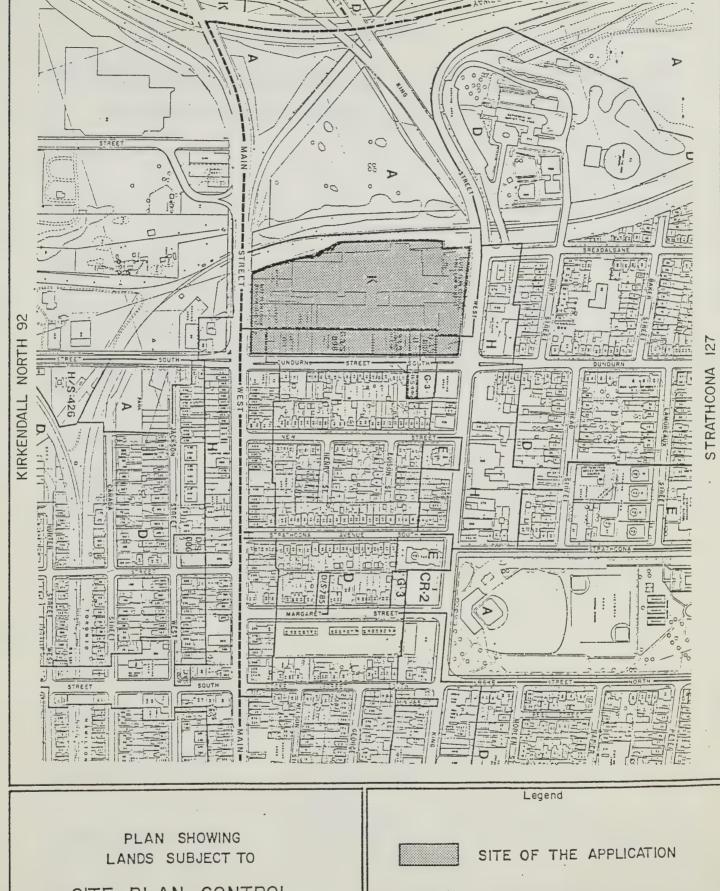
Victor J. Abraham, M.C.I.P. Director of Local Planning

Approval date

Alderman John Smith Chairman

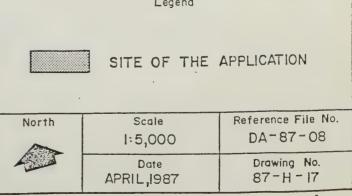
Alderman Terry Cooke Ward Alderman Den (Sol)





SITE PLAN CONTROL APPLICATION DA-87-08

Regional Municipality of Hamilton-Wentworth Planning and Development Department





FOR ACTION

FROM	Planning	and	Development	Department	DATE			November	^ 4,	1987
ТО	Planning	and	Development	Committee	Refer	То	File	I	(DA-8 (ZA-8 BRULE	36-72 36-11) 30-66) EVILLE JRHOOL
					Atten	tior	n Of	V.J.	Abra	aham
Propos	sal									

Plans have been submitted to amend approved plans of Site Plan Control Application DA-86-11 for a commercial development to be located at 986 - 998 Upper Wentworth Street. The proposal changes include an increase in building floor area from 2186m^2 (23,530.67 sq. ft.) to 2434.72m^2 (26,208 sq. ft.) and a decrease of two parking spaces from 103 to 101 (The minimum required is 64). The changes are minor in nature and do not affect the overall intent of the development.

Recommendation

That approval be given to <u>Site Plan Control Application DA-87-72</u> by 645437 Ontario <u>Limited</u>, owner, of the land at 986 - 998 Upper Wentworth Street to amend plans of Site Plan Control Application DA-86-11, subject to the following:

a) modification to the plans related to dimensions, notes and landscaping as marked in red on the plans.

Victor J. Abraham, M.C.I.P. Director of Local Planning

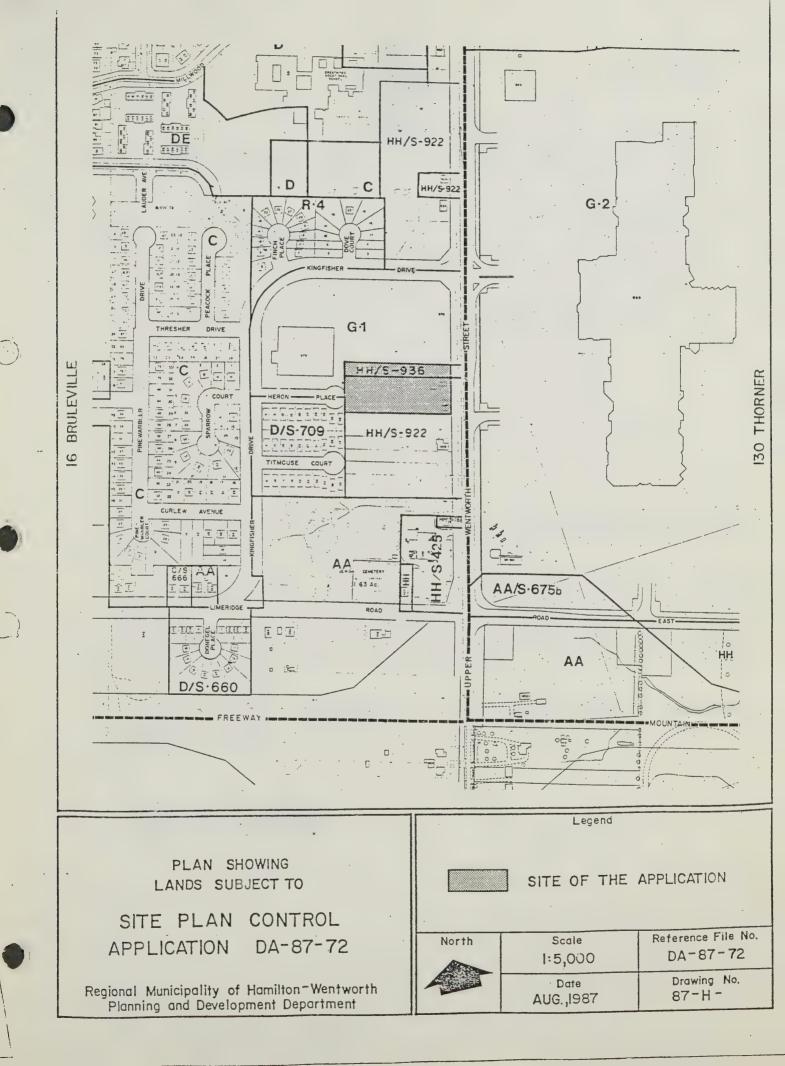
Approval date

Alderman John Smith

Alderman Henry Merling Ward Alderman

JM/JPS/sh









THE CORPORATION OF THE CITY OF HAMILTON

FROM .	D.W.Vyce, Dir	ector of	Property	DATE1987 November		ember 5
FOR ACT		FOR INFORM	MATION X	File No	(4504)	
TO: CITY	COUNCIL 🗆	(OR)	PLAN	NING & DE Committ	VELOPMENT ee	_ 🗀
SUBJECT						

Status Report - Acquisition of Properties in Alpha Enclave (West) - Plan 1

FOR INFORMATION

City Council on July 28, 1987 authorized the Real Estate Division of the Property Department to negotiate the acquisition of 39 properties in the Alpha Enclave (West) - Plan 1.

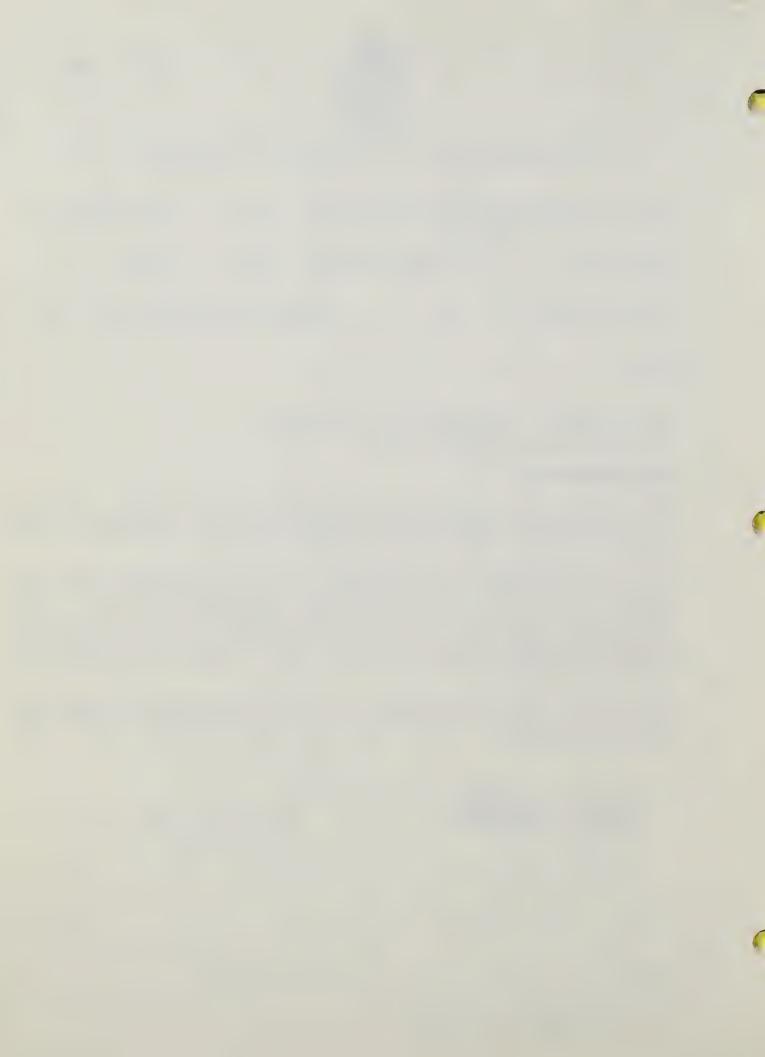
Of the 39 properties, 25 properties have been inspected resulting in the acquisition of 16 properties totalling \$725,650.00. The remaining nine of the 25 properties inspected are still in the negotiation stage. We have received no response from the remaining 14 properties, but we will be sending registered letters in another attempt to inspect these properties, with a view to acquiring same in the near future.

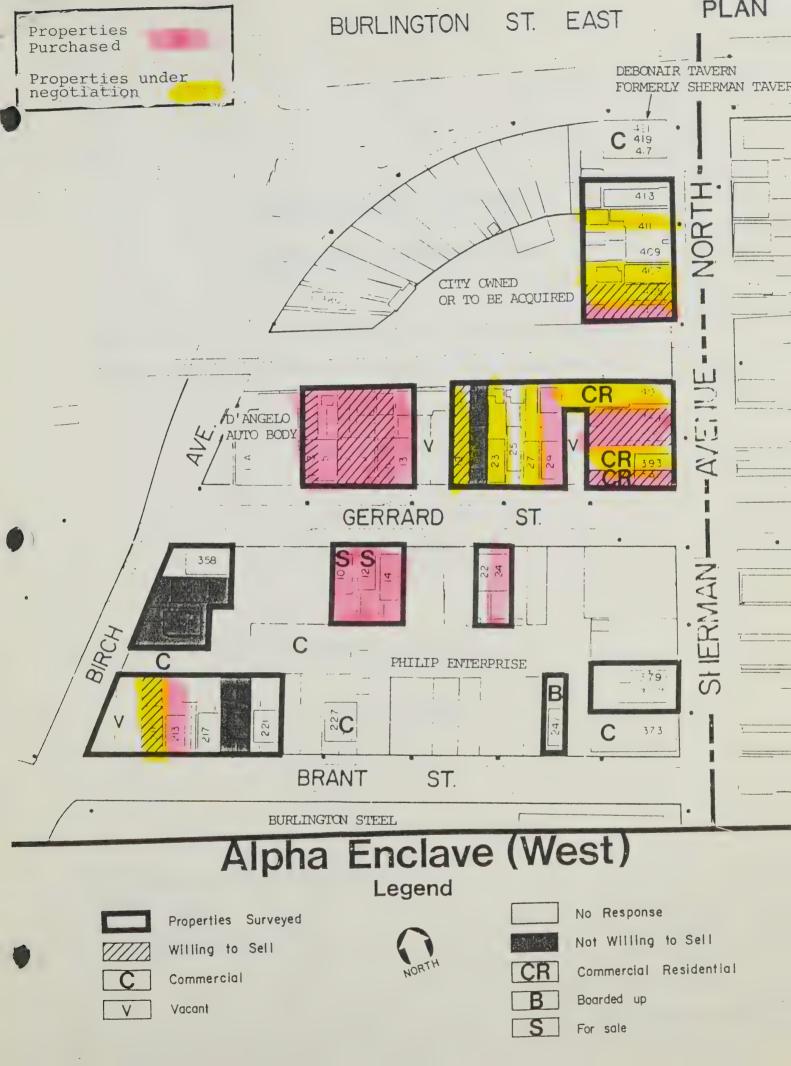
Attached for your information is a plan indicating the properties purchased coloured in pink and the properties under negotiation coloured in yellow.

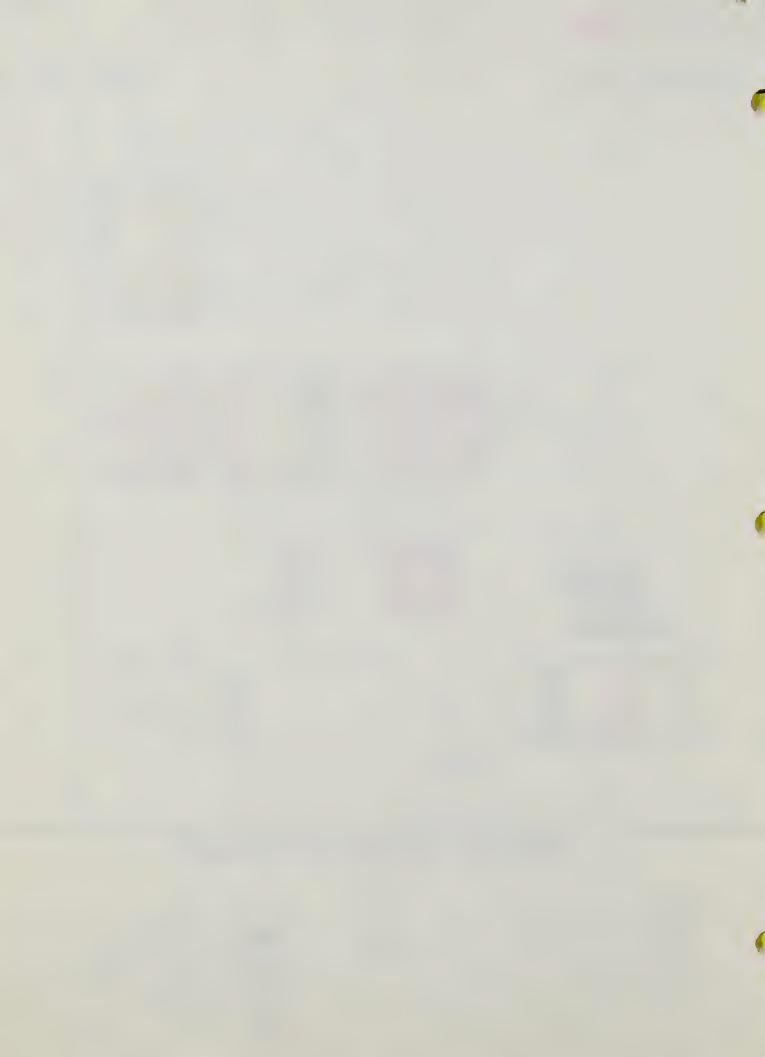


July Con

Attch.







NOTICE OF SPECIAL PRESENTATION

PLANNING AND DEVELOPMENT COMMITTEE

A Special Demonstration will be presented by the Hamilton-Wentworth Regional Police Department and the City's Building Department on:

THE SHIELD OF CONFIDENCE

CRIME PREVENTION PROGRAMME

OF THE HAMILTON-WENTWORTH

REGIONAL POLICE FOR

NEW HOME CONSTRUCTION

This Presentation will be held at:

1:30 O'CLOCK P.M.

Susan K. Reeder Acting Secretary

Planning and Development Committee

URBAN MUNICIPAL

NOV 26 1997





E. A. SIMPSON CITY CLERK

K. E. AVERY

HAMILTON, ONTARIO

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1987 December 4

NOTICE OF MEETING

Planning and Development Committee Wednesday, 1987 December 9th 2:00 o'clock p.m. Room 233, City Hall

Note: The Zoning Application portion of the meeting will be held in

the Council Chambers.

Susan K. Reeder Acting Secretary

AGENDA

- A. 2:00 o'clock p.m. Appeal Cash in lieu of Parkland Arosa Properties Limited.
- B. 2:15 o'clock p.m. Roof Leaders By-law.
- C. 3:00 o'clock p.m. Zoning Applications (see separate agenda)
- 1. Minutes of the meetings held Wednesday, 1987 November 11th (evening session); Tuesday, 1987 November 24th; Wednesday, 1987 November 25th.
- 2. Demolition Permit Application Building Commissioner 8 Northcote
- 3. Director of Community Development
 - (a) Concession Street Business Improvement Area, Proposed Budget and Schedule of Payments 1988.
 - (b) Jamesville Business Improvement Area, Proposed Budget and Schedule of Payments, 1988.

DEC 1 0 1987



- (c) Westdale Village Business Improvement Area, Proposed Budget and Schedule of Payments 1988.
- (d) Ontario Home Renewal Programme (O.H.R.P.) and Hamilton Rehabilitation Programme (H.A.R.P.)
- (e) Application Second Level Lodging Home Rehabilitation Programme.
- (f) Phase V extension to the Downtown Hamilton Action Plan; James Street North Streetscape Design - Report of Public Meeting and Final Approval of Plan. (Copy to follow)

4. Department of Engineering

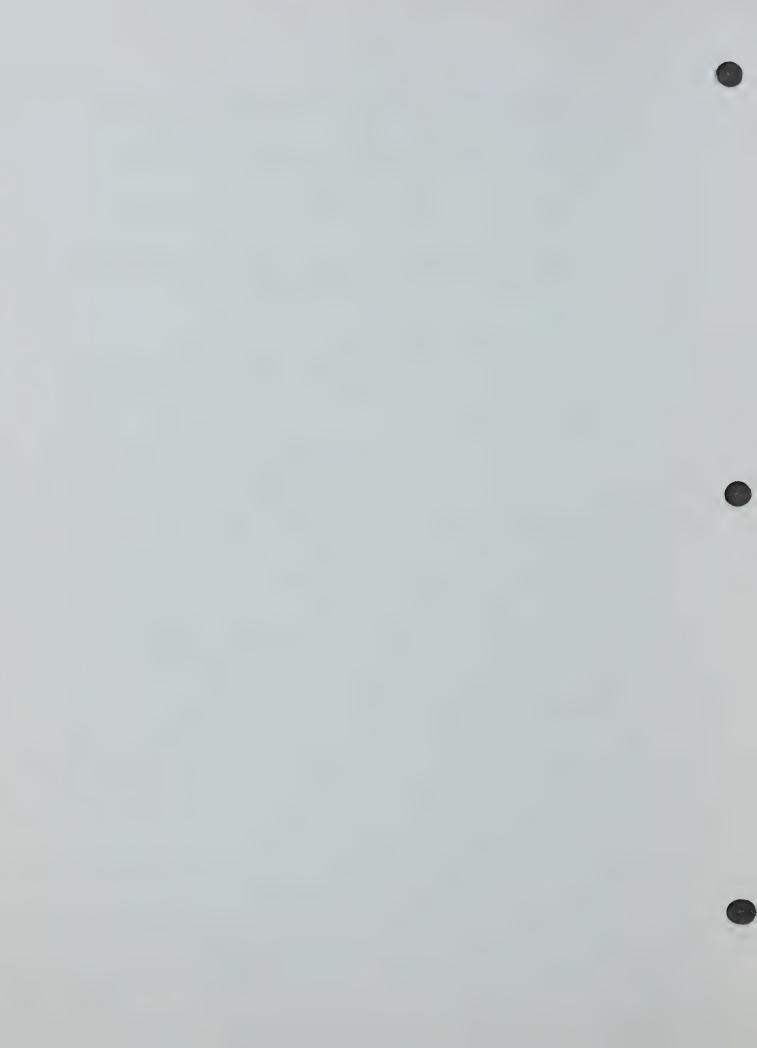
(a) Draft Plans of Condominium - north east corner of Upper Gage Avenue and Loconder Drive.

5. Director of Local Planning

- (a) Appointments Beach Implementation Committee
- (b) Proposed Amendment No. 31 to the Niagara Escarpment Plan.
- (c) Authorization for a Public Meeting Proposed Plan for the Jerome Neighbourhood.

6. Business Land Use Advisory Board

- (a) Small Business Centre.
- (b) Symposium for Industrial Growth in Hamilton-Wentworth Region.
- 7. Other Business
- 8. Adjournment



Wednesday, 1987 November 11 7:30 o'clock p.m. 2nd Floor Foyer, City Hall

The evening session of the Planning and Development Committee met.

There were present: Alderman D. Ross, Acting Chairman

Alderman D. Christopherson

Alderman T. Cooke Alderman B. Hinkley

Also present:

Alderman G. Copps Alderman R. Wheeler

Mr. D. Godley, Planning Department

Mr. K. Brenner, Regional Engineering Department

Mr. A. Georgieff, Planning Department

Mr. D. Farquhar, Department of Culture & Recreation

Mr. B. Janssen, Planning Department Mrs. S. K. Reeder, Acting Secretary

Alderman Ross welcomed those in attendance to the meeting and introduced the staff members in attendance.

Mr. D. Godley of the Planning Department addressed the Committee on the plan of the Hamilton Beach Concept.

Alderman R. Wheeler, Chairman of the Beach Steering Committee addressed the Committee and those in attendance and acknowledged and thanked the members of the Committee for their work.

Mr. Rick Moore, of Moore/George Associates Limited, Consultant, outlined the various aspects of the study and the alternatives that were looked at.

The Committee was in receipt of a report from the Planning and Development Department dated 1987 November 5 respecting the Hamilton Beach Concept Plan.

It was indicated by the Acting Chairman that a quorum was not present and that therefore this would be an information session and comments on the study would be received.

Mr. Jack, 211 Beach Boulevard spoke to the Committee. He thanked the Consultant for a good job and indicated that he feels that finally the authorities are looking at the Beach in a positive way. He fully supports the plan and is in favour of voluntary acquisition of lands.

Mr. Jaggard, President of the Beach Association spoke to the Committee. He indicated that he represents 130 families and that the Association was founded in 1977. He advised that he is in favour of the plan.

Mr. Lorne Scharwes, addressed the Committee and indicated that he has lived on the Beach since 1949. He has felt that the Conservation Authority was Empire Building at the Beach's expense.

A representative of the Conservation Authority responded to this and advised that the Beach acquisitions were a local municipal initiative and that the Province was then asked to assist in purchasing the properties. He advised that at that point the Conservation Authority came into the picture and was used by the Province as an agent only in order to provide 55% of the funding for the acquisiton of Beach properties. The representative of the Conservation Authority further advised that the Conservation Authority heard the presentation by Mr. Moore at their last meeting and received it. The staff will then be meeting with the Ministry to determine the areas of responsibilities and be reporting back to the Authority.

Introductions

Hamilton Beach Concept Plan Mr. Chuck Talsi, planner for the Hamilton Harbour Commission addressed the Committee and asked for consideration to be given to commercial use in the neighbourhood plan. Some discussion ensued on this aspect.

Mr. Howard Mark, Architect addressed the Committee and indicated that he sees a need for some co-ordination between Burlington's plan and Hamilton's plans for the Beach area. He feels that the Beach is a residential area and not a commercial area. He also expressed concerns that public no longer have access to Hamilton from the Bay side.

Ms. Laurel Barker, 628 Beach Boulevard spoke to the Committee on her own behalf and on her father's behalf, Mr. Herb Barker, who lives at 698 Beach Boulevard. She questionned the cost of sewers and expressed concern that this would be an absorbident cost that they may not be able to bear.

Same discussion then ensued on the approximate cost per lot of sewers.

The Acting Chairman thanked those in attendance for attending the meeting and bringing their views to the attention of the Committee. He advised that this matter will go to the next meeting of the Planning and Development Committee for decision and then on to City Council.

Same discussion also ensued on the mechanism once Council has given its approval to the study.

Alderman Wheeler expressed concern that this matter not be delayed and asked that a special meeting of the Planning and Development Committee be held in order that this recommendation can be dealt with at the November 24th meeting of City Council.

The Committee then met to discuss the rezoning of Normanhurst Neighbourhood.

However, it was again noted that the above members did not constitute a quorum and it was again agreed that the Committee would receive the comments from this public meeting and forward this matter to the next meeting of Planning and Development for decision.

Mr. D. Janssen of the Planning Department gave a report on the background to the study and the current recommendation being placed before the Committee.

Alderman Copps questioned what information had been circulated and to whom and the Planning Department responded to her query.

Mr. Skotarek, 98 Selkirk addressed the Committee. He indicated he had been unable to reach the contact person listed in the Planning Department for additional information and advised that he is annoyed that he was provided with such little information on an issue that will have an adverse effect on him.

Mr. Earl Cranfield, Solicitor for H. H. Robertson Company advised the Committee that they are opposed to the "J" zoning (Light and Heavy Industry, etc.). He advised that the zoning they currently have - "K" (Heavy Industry, etc.) has restrictions placed on it by the Ministry of the Environment which they are required to adhere to. He indicated that the employees of H. H. Robertson are opposed to this down zoning and the impact it could have on them and their jobs.

Normanhurst Neighbourhood Planning and Development Committee

Wednesday, 1987 November 11

Mr. Don Bay, Planning Consultant addressed the Committee. He advised that he was involved in the Keith Neighbourhood Study and the issue is much more complex than simply going from a "K" zoning to a "J" zoning. He advised that a change in the minor works of an industry which would be prohibited under the light industrial zoning would have an adverse affect on a company presently working under the "K" criteria.

Mr. Myslitsky, 150 Tolton Avenue spoke to the Committee and advised that he would like to see the "J" zoning, (Light & Heavy Industry, etc.) in this area.

Alderman Christopherson spoke to the meeting and indicated that he would like to see a written agreement made with the industries in the area that they will not utilize those industrial uses allowed under the present "K" zoning in order to ensure that certain undesirable uses never occur.

Mr. Don Bay indicated to the Committee that the provisions under Provincial legislation i.e., the Ministry of the Environment are more flexible than municipal by-laws and therefore indicated that he would not like to see a change in zoning to Light Industry.

Mr. David Godley spoke to the Committee on the permitted uses listed within the "K" zoning.

General discussion ensued on this matter by both the members of the public in attendance as well as the Committee members.

The Acting Chairman then thanked those in attendance for attending and advised that this matter will be placed before the next meeting of the Planning and Development Committee to take place on Wednesday, 1987 November 25. The Acting Chairman advised that those members who wished to be notified of this meeting should give their name and address and phone number to Mr. David Godley of the Planning Department.

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN D. ROSS ACTING CHAIRMAN PLANNING & DEVELOPMENT COMMITTEE

Mrs. S. K. Reeder Acting Secretary 1987 November 11 Adjournment

Tuesday, 1987 November 24 6:30 o'clock p.m. Room 233, City Hall

The Planning and Development Committee met.

There were present: Alderman J. Smith, Chairman

Alderman D. Ross, Vice-Chairman

Mayor Robert M. Morrow Alderman B. Hinkley Alderman H. Merling

Regrets:

Alderman T. Cooke Alderman W. McCulloch Alderman D. Christopherson

Also present:

Mr. L. Sage, Chief Administrative Officer

Mr. D. Godley, Planning Department Mrs. S. K. Reeder, Acting Secretary

The Committee was in receipt of a report from the Planning and Development Department dated 1987 November 5 respecting the Hamilton Beach Concept Plan.

It was moved by Alderman Ross, seconded by Alderman Merling to carry the following recommendation:

- (a) That the Hamilton Beach Concept Plan, Final Report, September, 1987 be accepted in principle.
- (b) That a Beach Steering Committee continue onto to oversee the implementation of the Concept Plan.
- (c) That staff be directed to prepare a Neighbourhood Plan for Hamilton Beach.

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN J. SMTIH, CHAIRMAN PLANNING & DEVELOPMENT COMMITTEE

Mrs. S. K. Reeder Acting Secretary 1987 November 24 Hamilton Beach Concept Plan



200 p.m.

THE CORPORATION OF THE CITY OF HAMILTON

FROM D. W.	Vyce, Director of F	Property DATE	November 20, 1987
	Name & Title		
FOR ACTION	FOR INFORMAT	ION 🗆 x File No	38.1.209(4506)
TO: CITY COUNC	CIL OR)	PLANNING & I	DEVELOPMENT X

SUBJECT

Bayview Glen Estates Subdivision 5% Cash-in-lieu Valuation

FOR INFORMATION

Arosa Properties Limited is appealing this department's valuation of its lands in the Bayview Glen Estates plan of subdivision. The basis of the appeal, as we understand it, is that the subject lands were sold by Arosa last year for \$2,255,000 whereas the valuation for the 5% cash-in-lieu payment prepared by this department is \$2,755,000. This latter amount is approximately 22% higher than the selling price and represents an extra \$23,000 that Arosa is required to pay under the cash-in-lieu provision of Section 41 of the Planning Act.

We are in no way challenging the authenticity of the \$2,255,000 transaction price, and indeed, Arosa has been most generous in providing supporting documentation relating to the sale.

While the actual bone fide open market sale of the subject lands is usually a very reliable estimate of value, there are, in our opinion, two reasons why the transaction price in this instance does not reflect current market value.

The documentation provided by Arosa shows the negotiations were completed, and the agreement finalized, on August 5th, 1986, and would, assuming a bone fide agreement, reflect market conditions and values prevailing at that date. The date of the valuation of the land for the 5% payment is set out in Section 4(6) of the Act as "the day before the day of the issuance of the building permit". The first permit was issued on February 19th, 1987, before the subdivision was registered, with the bulk of the development occurring June 19th, 1987 and later. Even if the February date is accepted as being the effective date of the appraisal, it is still six and a half months after the negotiations to sell were

November 20, 1987 Planning & Development Committee Page 2

Continued...

completed. While this might initially appear to we an insignificant time frame for the 22% discrepancy in values, it must be remembered that this was a period of unprecedented boom for residential housing and land: a time of multiple offers for each listing and "flips" before closings. Metropolitan Hamilton Real Estate Board figures for this time period show median February residential prices 29% higher than six months earlier, and average prices 23% higher. In our opinion, this intense market activity and increased value levels of housing directly relates the value of residential land and renders the Arosa sale out of date and inappropriate for use in reflecting market value as specified in the Act.

A second factor that we feel contributes to the disparity between the purchase price and our current valuation can be attributed to the discount typically granted for volume purchase. The advantages to the vendor in reducing carrying costs, legal fees and the earlier opportunity to liquidate into a cash position provides the large buyer with more leverage in negotiating prices over single lot purchasers. For complete subdivision purchases like the case at hand, we have found that the discount is typically in the 10 to 15 per cent range.

If recognition is given to the volume purchase and the difference in valuation dates as being legitimate factors that warrant an adjustment in last August's transaction price, an argument could be made that the value for the 5% should be in the order of 33 to 44 per cent higher.

While we can appreciate Arosa's position, having so recently been involved in a bone fide transaction involving the subject lands, we believe our valuation fairly reflects the value of the property given the circumstances involved.

Dully ce-

AROSA PROPERTIES LIMITED

5740 YONGE STREET, SUITE 103
WILLOWDALE, ONTARIO M2M 3T4
TELEPHONE 226.4886

October 23rd, 1987

City of Hamilton, City Parks & Recreation Committee, 71 Main Street West, Hamilton, Ontario. L8N 3T4

Attention: Mr. R.C. Prowse, Secretary

Dear Mr. Prowse:

Re: Cash Payment in Lieu of 5% Parkland Dedication for Bayview Glen Estates - Phase I

I wish to appeal the decision of Mr. Bryon Robertson the Appraiser/Senior Property Officer with respect to the above.

A copy of our two (2) previous letters to the Property Department are enclosed for your reference. Please advise me as to a time you can schedule a hearing in this matter.

Yours truly,
AROSA PROPERTIES LIMITED,

E.C. LaBerge, President.

ECL:sb
Enclosures.

AROSA PROPERTIES LIMITED

5740 YONGE STREET, SUITE 103
WILLOWDALE, ONTARIO M2M 3T4
TELEPHONE 226-4886

September 25th, 1987

City of Hamilton, 71 Main Street West, Hamilton, Ontario. L8N 3T4

Attention: Mr. Bryon Robertson

Dear Sir:

Re: Cash Payment in Lieu of 5% Park Land Dedication for Bayview Glen Estates Phase 1 & 2

In reply to your letter of September 9th, 1987 please be advised that all 66 lots are being sold for the \$2,255,000.00. It was only because of a survey error that it was done in Phase 1 and 2 but the contract calls for the purchase of all 66 lots at a price of \$2,255,000.00.

I fail to appreciate your argument about a "bulk price" and in any event this was certainly the sale price and I consider it grossly unfair that you should be basing your charges on a price higher than what we received. Could you pleae advise me of the address of the Land Compensation Board and is this appeal made to the Ontario Municipal Board at the same time or is the Land Compensation Board a division of the Ontario Municipal Board.

Yours truly, AROSA PROPERTIES LIMITED,

E.C. LaBerge, President.

AROSA PROPERTIES LIMITED

5740 YONGE STREET, SUITE 103
WILLOWDALE, ONTARIO M2M 3T4
TELEPHONE 226-4886

August 13th, 1987

BY COURLER

City of Hamilton,
Real Estate Department,
71 Main Street West,
Hamilton, Ontario.
L8N 3T4

Attention: Mr. Bryon Robertson

Dear Mr. Robertson:

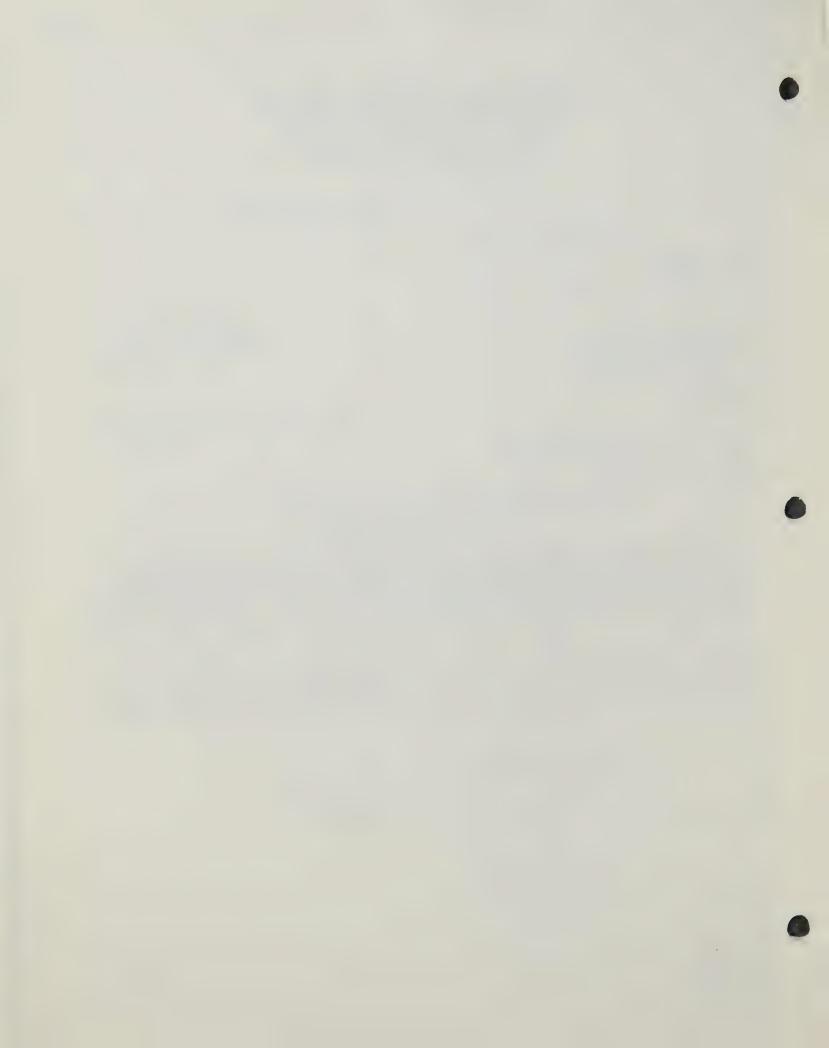
Re: Caroga Manor

Further to our conversation of today I am enclosing a copy of our sales agreement with Sol Frankel's company Caroga Manor. You will certainly see that except for the smallest lots we certainly received far less than \$1,000.00 per front foot on which figure you are basing your cash in lieu contribution for parks.

Yours truly, AROSA PROPERTIES LIMITED,

E.C. LaBerge, President.

ECL:sb Enclosure.



member of the Canadian

October 15, 1987

The Corporation of the City of Hamilton Planning & Development Committee 71 Main Street West, 7th Floor Hamilton, Ontario L8N 3T4

Dear Sir:

Re: Connection of Roof Leaders to Storm Sewers

Please be advised that our Association objects to a by-law being prepared for the mandatory hookup of rain water leaders to storm sewers.

The hookups would increase our costs by approximately \$600.00 per house, which cost we would have to pass onto the consumer. Our prices are already rising enough without having to burden our consumer with another \$600.00.

The Engineering Department objected to the hookup for the reasons stated in a report dated July 7, 1987 to your Department. (Copy enclosed.)

Our Association has always had a good working relationship with the City of Hamilton and would like the opportunity to discuss this matter further with the Planning & Development Committee before a by-law is passed into law. Perhaps this item should be brought before the Task Force on Lot Grading, as it does pertain to the same subject.

Our Association would like to be able to connect the rain water leaders at our option and not have it mandatory. We would therefore like to oppose this proposed by-law and would be pleased to meet with you at your convenience for further discussion. We would be pleased to have your response as soon as possible so this matter can be resolved quickly.

Yours truly,

Ward Campbell

President

WC/ama

c.c. Mayor Bob Morrow

FOR ACTION

FROM	Engineering Department	DATE	November	17, 1987
TO _	Planning & Development Committee	Refer to	File No.	E200-03
		Attention	n Of K.	A. Brenner
		Your File	e No.	

SUBJECT

Roof Leader By-Law

RECOMMENDATION

The attached by-law be approved and sent to City Council for approval.

J. R. G. Leach

Commissioner of Engineering

BACKGROUND

The submitted by-law incorporates in our opinion the items raised and discussed by your Committee which was the decision to force builders and owners to connect the roof leaders to storm sewers in new areas.

SHE: mm

4. ection 6 of the said By-law is repealed and the immediate y preceding heading is deleted, and the following substitut d in lieu thereof:

Roof Leaders

The roof leaders of all structures with a orizontal roof area greater than 50 m² shall be onnected to the storm sewers where separate storms and anitary sewers are available and the sewer system on the treet was constructed after 1970 and the structure is rected after 1987.

5. Section 8 of the said By-law is amended by striking out "water or suction pipe" in the second line.

ASSED this

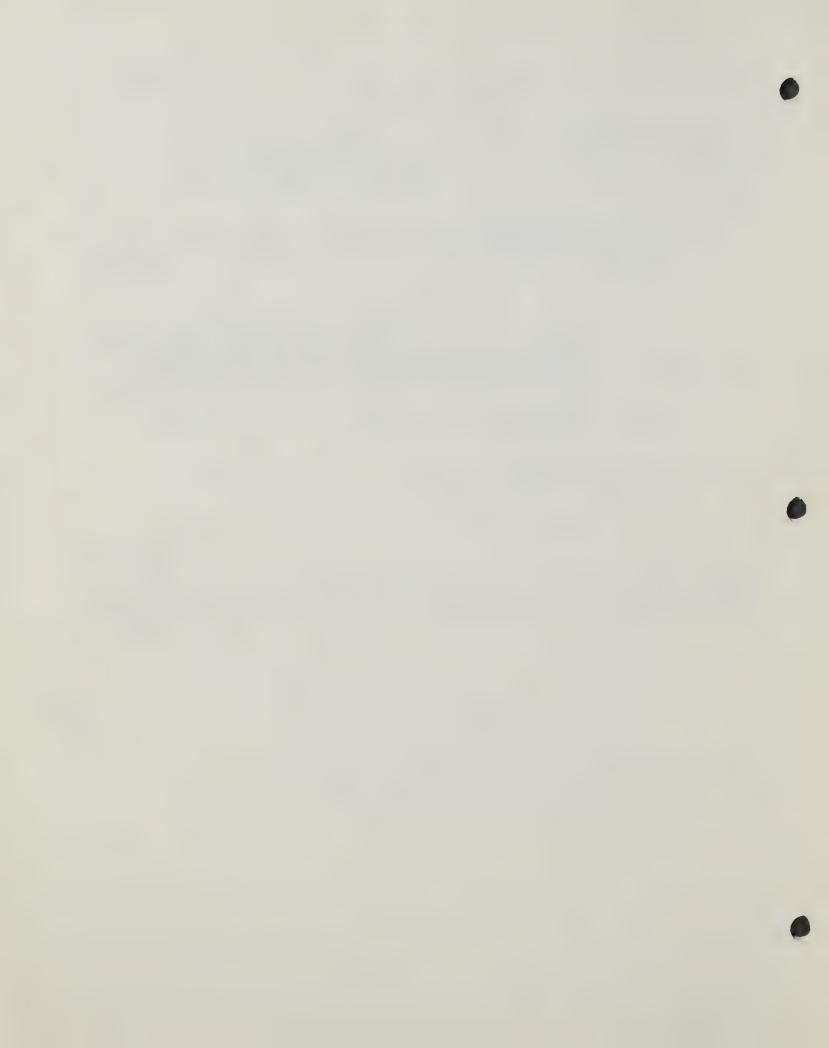
day of

A.D. 1987.

lity Clerk

Mayor

(1987) 17 R.P.D.C. 13, September 29



FOR ACTION

2.

FROM	_	P. KUPPE,	В	UILDING COMM	ISSIONER	DATE _	Decemb	er 2,	1987
то _т	THE	PLANNING	&	DEVELOPMENT	COMMITTEE	Refer	To Fil	e No.	
						Atten	tion Of		
						Your	File No		

SUBJECT

DEMOLITION

RECOMMENDATION

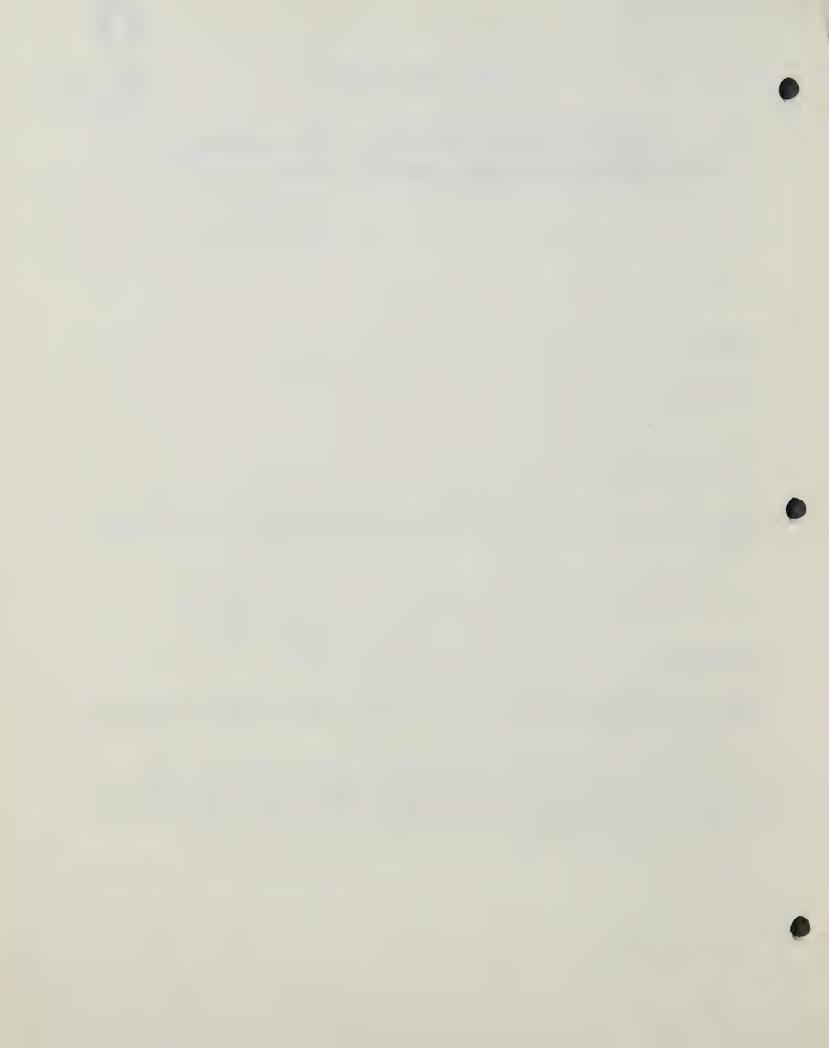
THAT THE BUILDING COMMISSIONER BE AUTHORIZED TO ISSUE A DEMOLITION PERMIT FOR THE DEMOLITION OF THE RESIDENTIAL BUILDING AS LISTED BELOW.

1. 8 NORTHCOTE

BACKGROUND

DEMOLITION CONTROL CATEGORY "A" - PROPOSED USE OF LAND IS PERMITTED BY PRESENT ZONING.

THE PRESENT USE IS A SINGLE FAMILY DWELLING IN A "K/S-727" ZONE WITH A LOT SIZE OF 22' \times 100'. THE PROPOSED USE IS TO BE LEFT VACANT TO BE USED IN CONJUNCTION WITH A CONSTRUCTION COMPANY YARD. THE OWNER IS CANADIAN ENGINEERING AND CONTRACTING CO. LTD.



FOR ACTION

3a

FROM	Mr. E. W. Kowalski, Director Community Development Department	DATE 1987 December 02			
TO	Planning and Development Committee	Refer To File No. 800-0014.7			
		Attention Of			
		Your File No.			

SUBJECT

Concession Street Business Improvement Area, Proposed Budget and Schedule of Payments 1988.

RECOMMENDATION

- i) That, in accordance with Schedule 'A', appended hereto, the 1988 operating budget of the Concession Street Business Improvement Area be approved in the amount of sixteen thousand, four hundred dollars (\$16,400);
- ii) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1988 budget as referenced in (i) above; and,
- iii) That the Schedule of Payments for 1988 be as follows:
 1988 March 01 \$8,000; 1988 July 01 \$5,000; 1988 August 01 \$3,400.

BACKGROUND

At a general membership meeting held 1987 November 24, the Concession Street Business Improvement Area budget for 1988 in the amount of sixteen thousand, four hundred dollars (\$16,400) of which 9.8%; one thousand, six hundred dollars (\$1,600) has been set aside for uncollectible levies was voted on and approved unanimously by members present.

c.c. Mr. P.M. Eker, Acting City Solicitor City Solicitor's Department

Mr. E. C. Matthews, City Treasurer Att: Mr. D. Goodman, Assistant Supervisor - Business Tax

Mr. J. Thompson, Secretary Finance Committee

SCHEDULE 'A'

CONCESSION STREET BUSINESS IMPROVEMENT AREA BUDGET FOR 1988

<u>Items</u>	Amount
Insurance	\$ 500
Bank Charges	100
Newsletter	500
Advertising and Promotions	8,500
Christmas Decorations	1,500
Summer Festival	1,000
Office Supplies	250
Seminars - Conventions	500
Accounting	250
Street Improvement	1,200
Miscellaneous	500
SUB-TOTAL	\$14,800
Uncollectible Levies	1,600
TOTAL	\$16,400

3b

FOR ACTION

FROM	Mr. E. W. Kowalski, Director Community Development Department	DATE 1987 December 02
TO	Planning and Development Committee	Refer To File No. 800-0014.8
		Attention Of
		Your File No.

SUBJECT

Jamesville Business Improvement Area, Proposed Budget and Schedule of Payments, 1988.

RECOMMENDATION

- i) That, in accordance with Schedule 'A', appended hereto, the 1988 operating budget of the Jamesville Business Improvement Area be approved in the amount of twenty five thousand dollars (\$25,000); and,
- ii) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1988 budget as referenced in (i) above; and,
- iii) That the Schedule of Payments for 1988 be as follows: 1988 February 01 \$12,500; 1988 August 01 \$12,500.

CTCDOMID.

BACKGROUND

1

At a general membership meeting held 1987 October 28, the Jamesville Business Improvement Area budget for 1988 in the amount of twenty five thousand dollars (\$25,000) of which 15%, three thousand seven hundred and fifty dollars (\$3,750) has been set aside for uncollectible levies was voted on and approved by members present.

c.c. Mr. P.M. Eker, Acting City Solicitor City Solicitor's Department

Mr. E. C. Matthews, Treasurer Att: Mr. D. Goodman, Assistant Supervisor - Business Tax

Mr. J. Thompson, Secretary, Finance Committee

SCHEDULE 'A'

JAMESVILLE BUSINESS IMPROVEMENT AREA

BUDGET FOR 1988

Items		AI	mount
Administration		\$	5,200
Information Brochure			2,000
Spring Promotion			6,500
Fall Promotion		6,500	
Miscellaneous		-	1,050
SUB-	-TOTAL	\$	21,250
Uncollectible Levies		-	3,750
	TOTAL	\$2	25,000
		-	

Bc.

FROM	Mr. E. W. Kowalski, Director Community Development Department	DATE 1987 December 03
TO	Planning and Development Committee	Refer To File No. 800-0014.05
		Attention Of
		Your File No

SUBJECT

Westdale Village Business Improvement Area, Proposed Budget and Schedule of Payments 1988.

RECOMMENDATION

- i) That, in accordance with Schedule 'A', appended hereto, the 1988 operating budget of the Westdale Village Business Improvement Area be approved in the amount of fifteen thousand (\$15,000) dollars; and,
- ii) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1988 budget as referenced in (i) above; and,
- iii) That the Schedule of Payments for 1988 be as follows:
 1988 February 01 \$5,000; 1988 April 01 \$5,000;
 1988 July 01 \$5,000.

BACKGROUND

At a general membership meeting held 1987 October 19, the Westdale Village Business Improvement Area budget for 1988 in the amount of fifteen thousand dollars (\$15,000) of which ten percent (10%), fifteen hundred dollars (\$1,500) has been set aside for uncollectible levies was voted on and approved unanimously by members present.

c.c. Mr. P.M. Eker, Acting Cîty Solicitor City Solicitor's Department

Mr. E.C. Matthews, City Treasurer Att: Mr. D. Goodman, Assistant Supervisor - Business Tax

Mr. J. Thompson, Secretary Finance Committee

SCHEDULE 'A'

WESTDALE VILLAGE BUSINESS IMPROVEMENT AREA

BUDGET FOR 1988

Items		<u>A</u> r	mount
Administration		\$	2,100
Advertising			2,500
Audit			500
Christmas Decorations			2,200
Design			2,500
Newsletter			1,000
Promotions		******	2,700
	SUB-TOTAL	\$]	L3,500
Uncollectible Levies			1,500
	TOTAL	\$]	L5,000

3d.

FOR ACTION

FROM	E. W. Kowalski, Director Department of Community Development	DATE 1987 December 02
TO	Planning and Development Committee	Refer to File No. 800-0300 800-0016.3
		Attention Of
		Your File No.

SUBJECT

Ontario Home Renewal Programme (O.H.R.P.) and Hamilton Rehabilitation Programme (H.A.R.P.)

RECOMMENDATION

That the attached three (3) O.H.R.P. applications and one (1) H.A.R.P. application be submitted to City Council for approval, authorizing the Department of Community Development to process grants/loans in the amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.).

BACKGROUND

With respect to the Ontario Home Renewal Programme, attached is a list of three (3) applicants whose applications are currently being processed for grants and/or loans pursuant to an amendment to The Housing Development Act, Regulation 506 (R.R.O. 1980).

For the information of the members of the Committee, the total number of applicants to date under the Ontario Home Renewal Programme is three thousand eight hundred and twenty-nine (3,829).

With respect to the Hamilton Rehabilitation Programme, attached is a list of one (1) applicant whose application is currently being processed for a loan pursuant to By-law 78-113.

For the information of the members of the Committee, the total number of applicants to date under the Hamilton Rehabilitation Programme is three hundred and thirty-two (322).

...../2

2 Thomas was

Planning and Development Committee

Ontario Home Renewal Programme

- 1. V. Authier 57 Carrick Avenue
- 2. C. Blair . 1226 Cannon St. East
- 3. F. Jewell 56 Carmen Avenue

Hamilton Rehabilitation Programme

1. R. Borgschulze 576 Burlington St. East

3e.

FROM	Department of Community Development	DATE 1987 December 02
TO	Planning and Development Committee	Refer To File No. SLL #15
		Attention Of
		Your File No.

SUBJECT

Second Level Lodging Home Rehabilitation Programme

Morra Laki Dimostor

RECOMMENDATION

That a rehabilitation loan in the amount of \$38,510.00 be approved for Gwynette Seymour, owner of a Second Level Lodging Home at 60 West Avenue South. The loan is amortized over a ten-year period at three (3) percent interest, and is secured by a Lien on Title.

Exercista

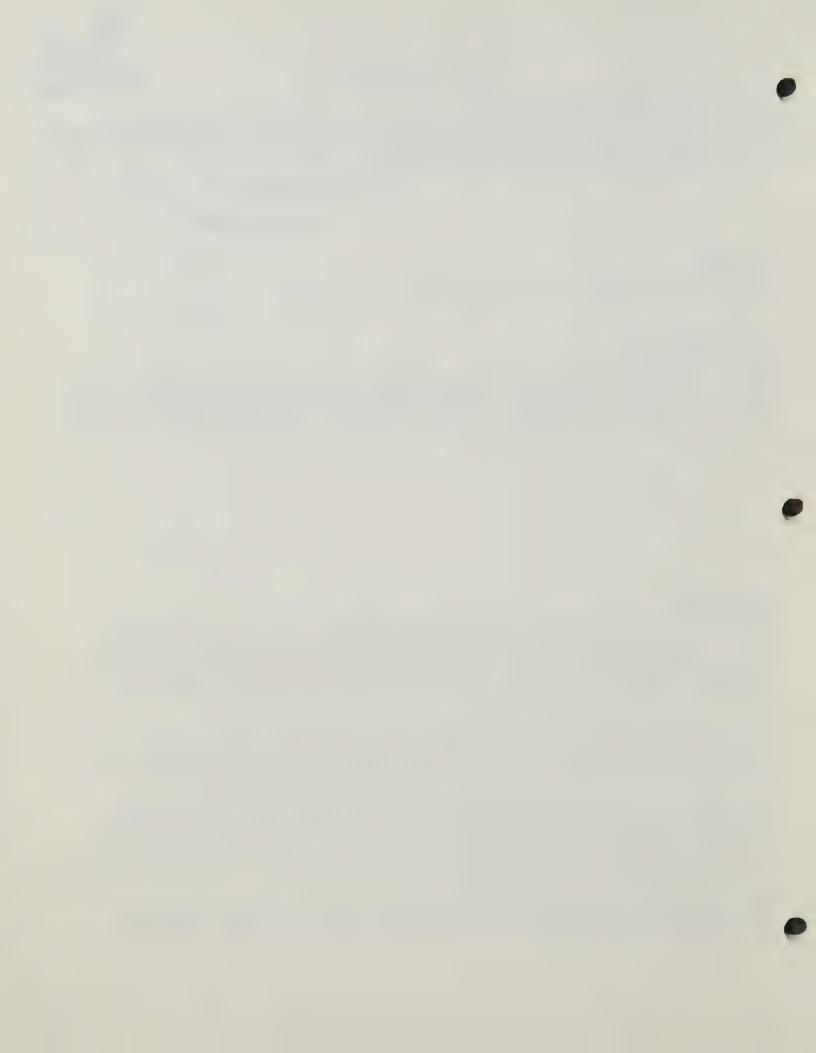
BACKGROUND

As the Committee is aware, the City of Hamilton recently received a capital grant in the amount of \$250,000. from the Ministry of Health for the implementation of a loan programme for the rehabilitation of Second Level Lodging Homes. The homes must accommodate ex-psychiatric patients. The City's Property Standards By-law 74-74 provides the basis for eligible items.

For the information of the Committee, the Department of Community Development has recently been informed that the City has been provided an additional \$75,000. for the implementation of this Programme.

This application represents the seventh loan processed under this Programme at a total cost of \$149,262. The home presently provides care for fifteen (15) out-patients. The loan is secured by a Lien on Title and all moneys collected on repayments are placed in a recyclable account to permit the continuance of the Programme.

The owner has also agreed to enter into an Operating Agreement with the Canadaian Mental Health Association to deliver Social Programs to residents of the home.



I.D. #0043D (61)

FOR ACTION

FROM Department of Engineering	DATEDecember 2, 1987
TO Planning & Developement Committee	Refer to File No. S712-21
	Attention OfD. Christilaw
	Your File No.

SUBJECT

Draft Plan of Condominium 25CDM-87009 North East corner of Upper Gage Ave. & Loconder Dive

RECOMMENDATION

That a modified subdivision agreement be entered into by the Corporation of the City of Hamilton and the Owner, to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to Condominium Application 25CDM-87009, (City file:SA-87-10), 568434 Ontario Inc. (W. Galdenzi, President) owners of the proposed draft plan of Condominium, and the City execute the agreement when said conditions have been met.

Note: The agreement provides for the registration of a noise warning clause on title to advise prospective purchasers.

T.R.G. Leach

Commissioner of Engineering

BACKGROUND

The Draft Plan of Condominium was approved by Regional Council on November 3, 1987 subject to certain conditions being satisfied prior to final approval. One of these conditions required that certain clauses regarding potential traffic noise from Upper Gage Avenue be included in a "subdivision agreement". The agreement would then be registered on title and would advise prospective purchases of the potential noise interference that could be experienced by some off the home owners.

Cont'd ...

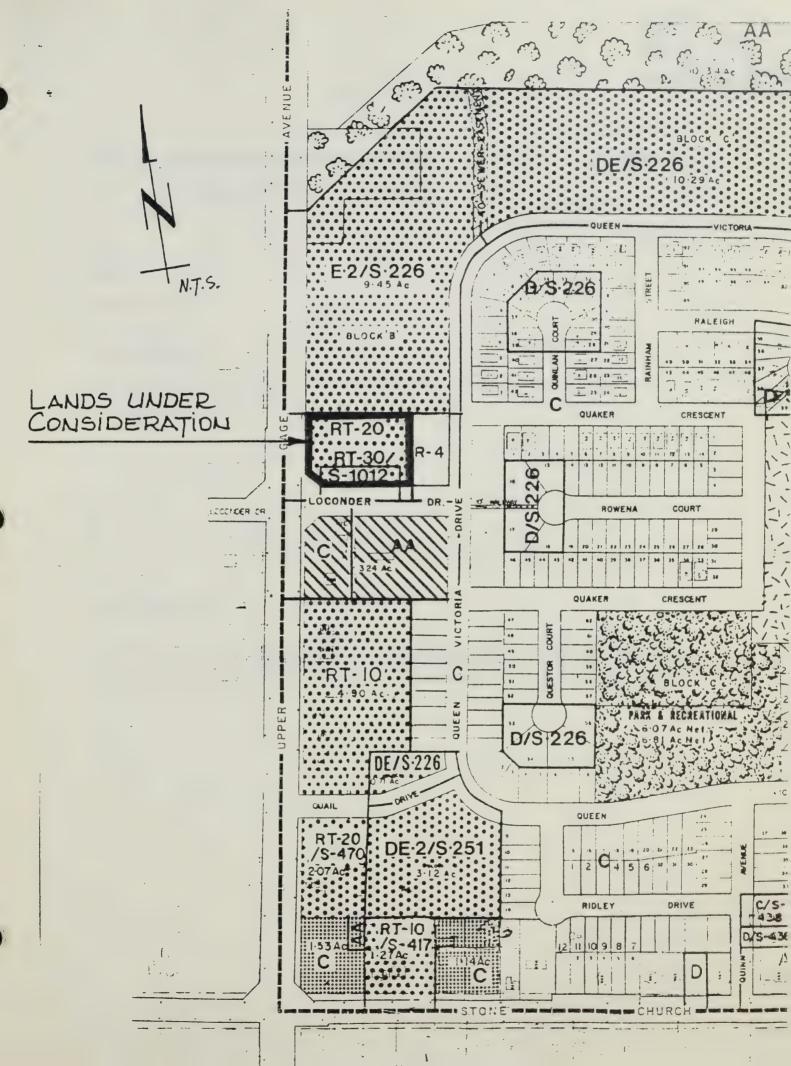
-Page 2-December 2, 1987

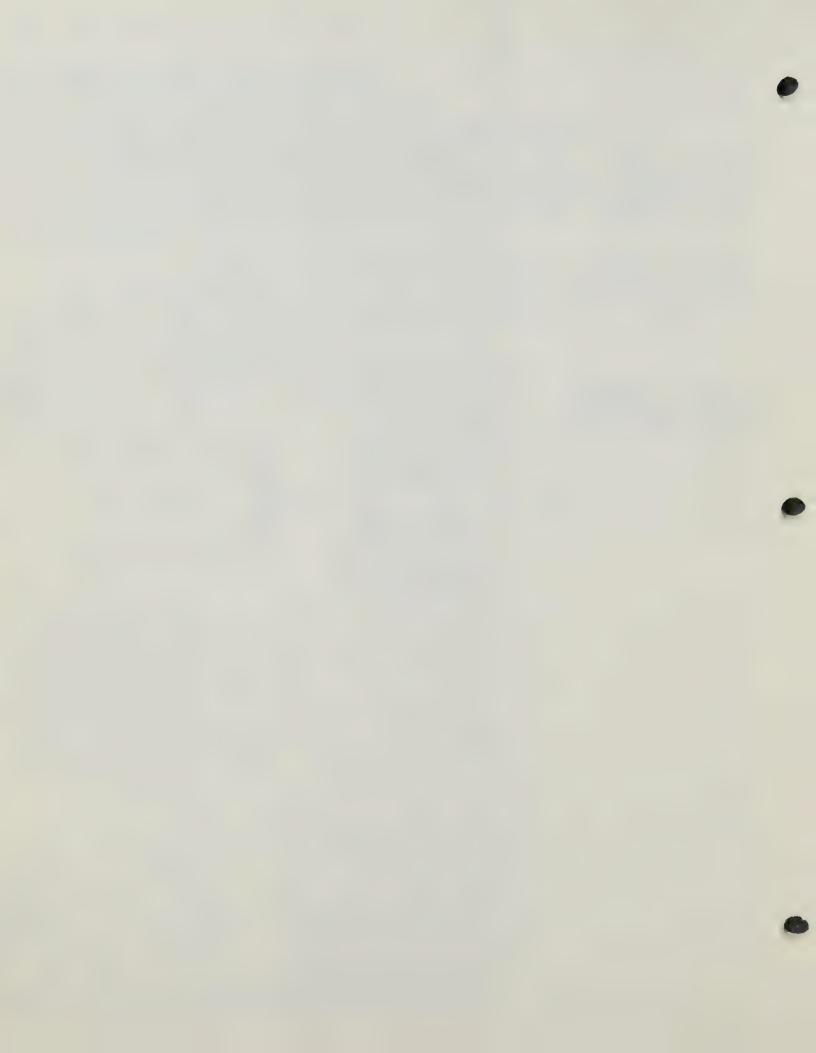
Draft Plan of Condominium 25CDM-87009
North East corner of Upper Gage Avenue & Loconder Drive

In the past, these noise requirements had not been a requirement of the Ministry of the Environment. All other financial & engineering requirements of the municipality were satisfied under the site plan application. Therefore no agreements were needed for Condominium developments.

However, now that the Ministry of the Environment is requiring that these warning clauses be registered on title, a "modified" type subdivision agreement will have to be prepared and registered on title, in order to satisfy the approved conditions for the draft plan of Condominium.

DVC/ma





FROM: Planning and Development Department DATE: November 30, 1987

TO: Planning and Development Committee File No.: P5-2-60

Attention Of: V. J. Abraham

SUBJECT

Hamilton Beach

RECOMMENDATION

That Ward 5 Aldermen and one other Alderman be appointed to a Beach Implementation Committee.

V. J. Abraham, M.C.I.P. Director of Local Planning J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development Department

EXPLANATORY NOTE

A committee is needed to implement the Hamilton Beach Concept Plan. It is recommended that the composition of representatives on the committee be the same as the Beach Steering Committee. Therefore, the City should appoint three representatives.

BACKGROUND

- o On November 24, 1987, City Council accepted the Hamilton Beach Concept Plan in principle.
- O At the same time the City adopted a recommendation of the Beach Steering Committee and the Planning and Development Committee that a committee be formed to oversee the next steps.
- o The mandate of the Committee would be to co-ordinate:
 - 1. the preparation of a neighbourhood plan;
 - the preparation of a detailed park and landscaping scheme;
 - the installation of trunk sewers;
 - 4. the selling of publicly owned land and the acquisition of land needed for public purposes;
 - 5. the provision of funding from various levels of Government;
 - 6. the provision of information about implementation; and,
 - 7. other matters related to the implementation of the Hamilton Beach Concept Plan.
- The composition of the Beach Steering Committee was intended to be representative of major interests in Hamilton Beach. It is therefore appropriate to retain the composition of representatives for the Implementation Committee although people on the Committee may not be the same. To ensure continuity it would be desirable to appoint City representatives who served on the Beach Steering Committee. Alderman Wheeler and Alderman Christopherson are willing to serve. Alderman Agostino, replacing Alderman Collins as Ward 5 representative, is also willing to serve.
- Other agencies who made appointments to the Steering Committee will be approached. Resident members would be appointed by the Implementation Committee once the agency members are appointed.

5b.

FROM Planning and Development Department

DATE November 24, 1987

Planning and Development Committee Refer To File No. P5-2-47

Attention Of V. J. Abraham

SUBJECT

Proposed Amendment No. 31 to the Niagara Escarpment Plan.

RECOMMENDATION

- 1. That the Hamilton-Wentworth Council be advised that the City of Hamilton does not support proposed Amendment No. 31 to the Niagara Escarpment Plan.
- 2. That this report be forwarded to Hamilton-Wentworth Council as background information.
- 3. That a request be made to Hamilton-Wentworth Council for the City of Hamilton to be involved if any approvals for development are considered.

V. J. Abraham, M.C.I.P. Director of Local Planning

Mahan

J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development

EXPLANATORY NOTE

The Niagara Escarpment Commission has requested comments on Cochren Construction's proposed amendment to the Niagara Escarpment Plan to be sent to Hamilton-Wentworth Region. The proposal involves a change from "Escarpment Natural Area" designation to "Urban Area" to permit residential development south of Greenhill Avenue. From the planning point of view the designation should remain part of the 'Escarpment Natural Area' designation to preserve the escarpment in its natural state.

INTRODUCTION

On October 22, 1987 The Niagara Escarpment Commission circulated Proposed Amendment No. 31 to the Niagara Escarpment Plan to the City for comments. The purpose of the amendment is to redesignate a one hectare (2.6 acre) parcel of land on Greenhill Avenue from "Escarpment Natural Area" to "Urban Area" to permit a residential development (See Map 1).

BACKGROUND

On October 29, 1986 The Planning and Development Committee dealt with a development permit application for the same site. At that time the application consisted of only a portion of the Cochren Construction Limited Holdings. The applicant proposed eight single family lots located on the south side of Greenhill Avenue in the Gershome Neighbourhood. The balance of the property was proposed for parkland (See Map 2).

On November 11, 1986 City Council adopted the following resolution in response to the application:

- 1. That the Niagara Escarpment Commission be advised that the City of Hamilton does not support the application for a development permit for Cochren lands on Greenhill Avenue.
- 2. That the Niagara Escarpment Commission be advised that the City of Hamilton does not have the funds available to purchase the lands.
- 3. That the Niagara Escarpment Commission purchase the lands.
- 4. That if Items 1 and 3 above are not acceptable, then the application for the lots as proposed by the developer should be considered, subject to:
 - a) i) a hydrological study of the proposed lots;
 - ii) a satisfactory surface drainage plan;
 - iii) a ground cover evaluation and tree plan;
 - iv) a proposed site plan; and
 - v) an environmental impact statement.
 - b) That the City Official Plan designation for the property be amended from "Open Space" to "Residential" on Schedule "A" and be deleted from Special Policy Area 1A on Schedule "B".

c) That the Neighbourhood Plan be amended from "Open Space" to "Residential".

The basis for the foregoing resolution was identified in the Planning and Development Department's report, dated October 10, 1986 which stated that the subject lands should remain as open space in accordance with the Niagara Escarpment Planning and Development Act 1973, Regional and City Official Plans and the Gershome Neighbourhood Plan.

The Niagara Escarpment Commission refused the Development Permit application. The applicant appealed to the Minister of Municipal Affairs. However, the applicant withdrew the appeal at the commencement of the hearing on February 4, 1987.

On August 27, 1987 the applicant applied to the Niagara Escarpment Commission for the proposed amendment. However, the application affects both the area where the eight lots were proposed and lands which were proposed for open space but owned by Cochren Construction (see Map 2).

CONCLUSION

Given Council's previous resolution on this matter, it is concluded that proposed amendment No. 31 should not be supported.

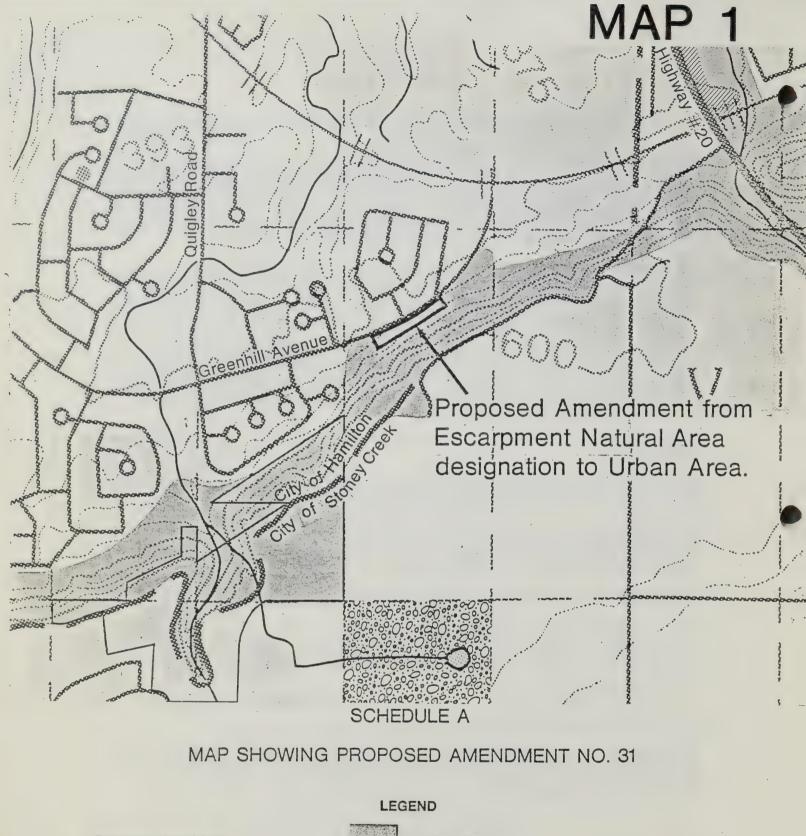
If development is supported on this property it should apply only to the area for which lots are appropriate. In addition, the following work should be prepared prior to approval of the amendment:

- i) hydrological study of the proposed lots;
- ii) a satisfactory surface drainage plan;
- iii) a ground cover evaluations and tree plan;
- iv) a proposed site plan;
- v) an environmental impact statement.

The Official Plan for the City and the Neighbourhood Plan would have to be brought into conformity with the Niagara Escarpment Plan if residential development were to be permitted.

G.G.:nd

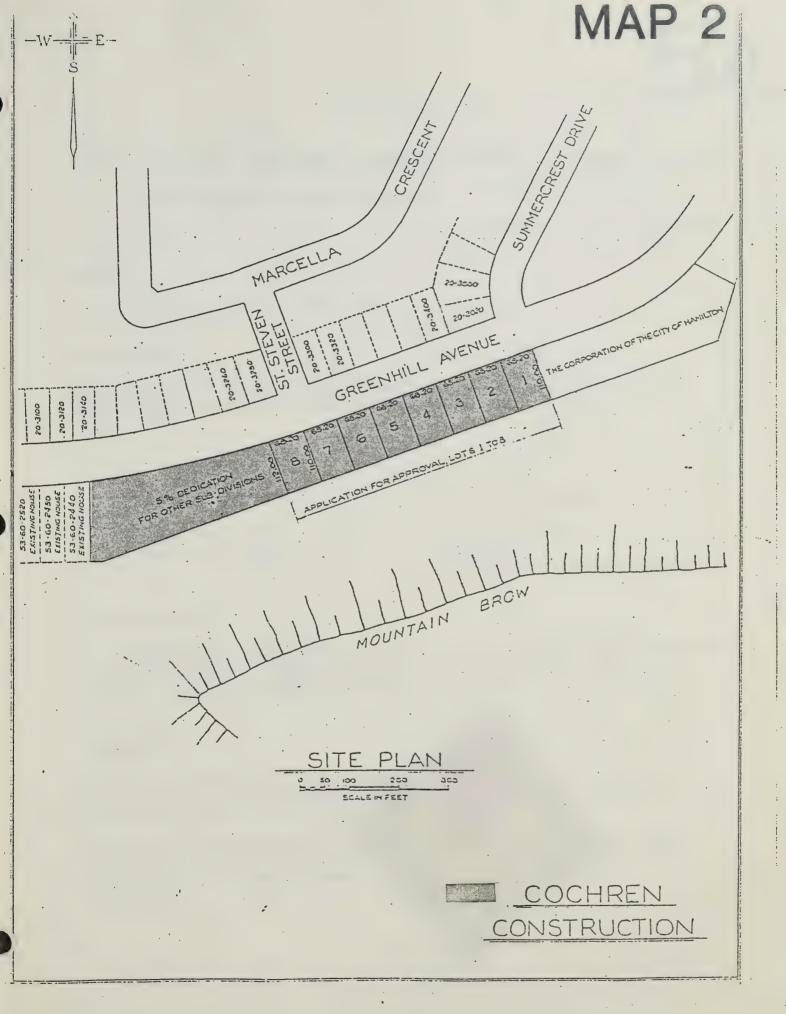
W.P. DOC. 0060P



Escarpment Natural Area		Urban Area	
Escarpment Protection Area	<i>'\\\\\\\</i>	Escarpment Recreation Area	
Escarpment Rural Area		Mineral Resource Extraction Area	29000
Minor Urban Centre	0	Public Land (in Parks System)	

SCALE 1:50.000

METRES 1000 500 0 1000 2000 300





5c

FOR ACTION

FROM: Planning and Development Department DATE: November 26, 1987

TO: Planning and Development Committee File No.: P5-2-82

Attention Of: V. J. Abraham

SUBJECT

Proposed Plan for Jerome Neighbourhood.

RECOMMENDATION

That the Planning and Development Committee authorize a public meeting to discuss the proposed plan for the Jerome Neighbourhood.

V. J. Abraham, M.C.I.P. Director of Local Planning J. D./ Thoms, M.C.I.P.

Commissioner

Planning and Development Department

EXPLANATORY NOTE

The construction of a trunk sewer in the vicinity of the Stone Church Road and Upper James Street will enable the development of the adjacent land. A proposed plan for the Jerome Neighbourhood, when approved, will guide land uses and development in this area.

BACKGROUND

The Region is currently in the process of installing a trunk sewer in the vicinity of Stone Church Road and Upper James Street, which will service properties in the Jerome Neighbourhood.

The Official Plan designates the Jerome Neighbourhood for Commercial, Major Institutional, Open Space and Residential uses. The Official Plan requires the preparation of a neighbourhood plan prior to development of the neighbourhood.

Background information has been collected and compiled in a report dated November, 1987. The draft policies have been developed using this background information.

THE PLAN

The draft neighbourhood plan attempts to achieve the following objectives within the framework of the Official Plan:

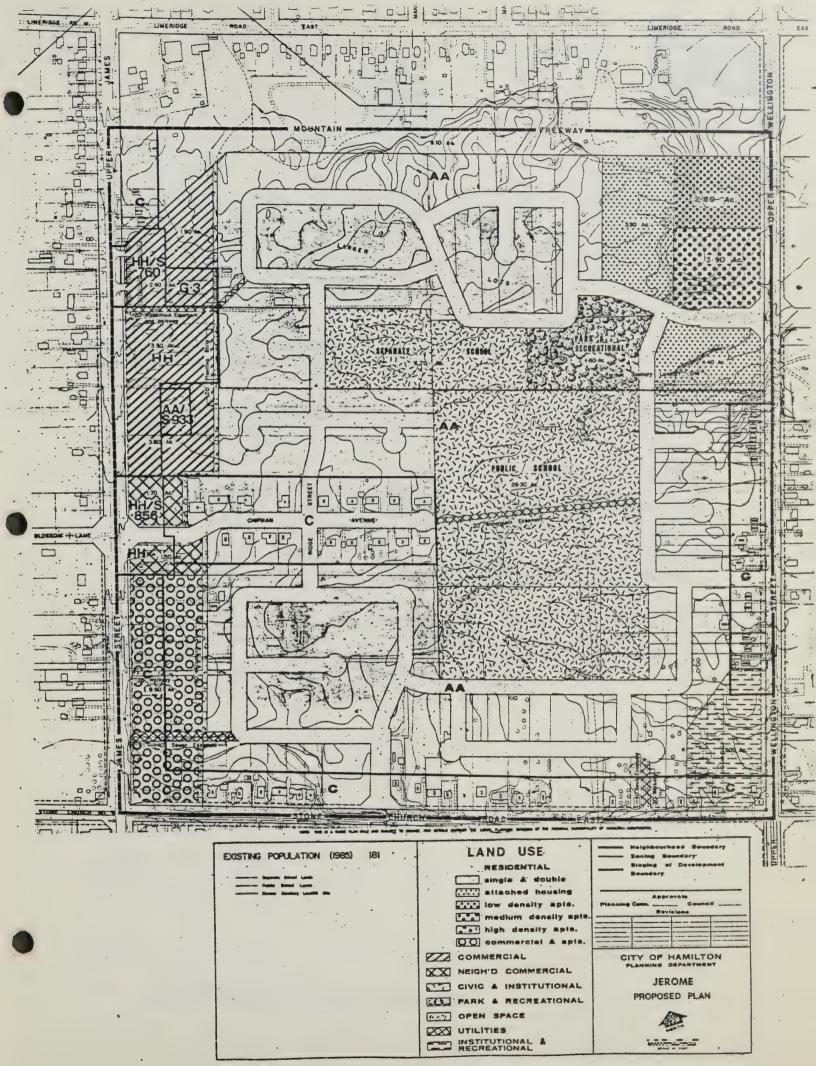
- Provision of a well-designed commercial area along Upper James Street appropriate for this major entrance to the City. This will include:
 - i) A Neighbourhood Commercial area adjacent to Chipman Avenue;
 - ii) A General Commercial area for the northern section; and,
 - iii) A Mixed-Use Commercial and Apartment area for the southern section of the Upper James Street frontage.
- A residential neighbourhood with sites designated for a separate school, a public school and a neighbourhood park near the centre of the neighbourhood.
- An average residential density of a maximum 35 persons per acre.
- A road layout which discourages through traffic and minimizes the number of accesses onto arterial roads.
- Good urban design, including the preservation of natural features, and the planning design uniform setbacks and landscaping.
- Consideration of energy efficiency in the layout of streets.

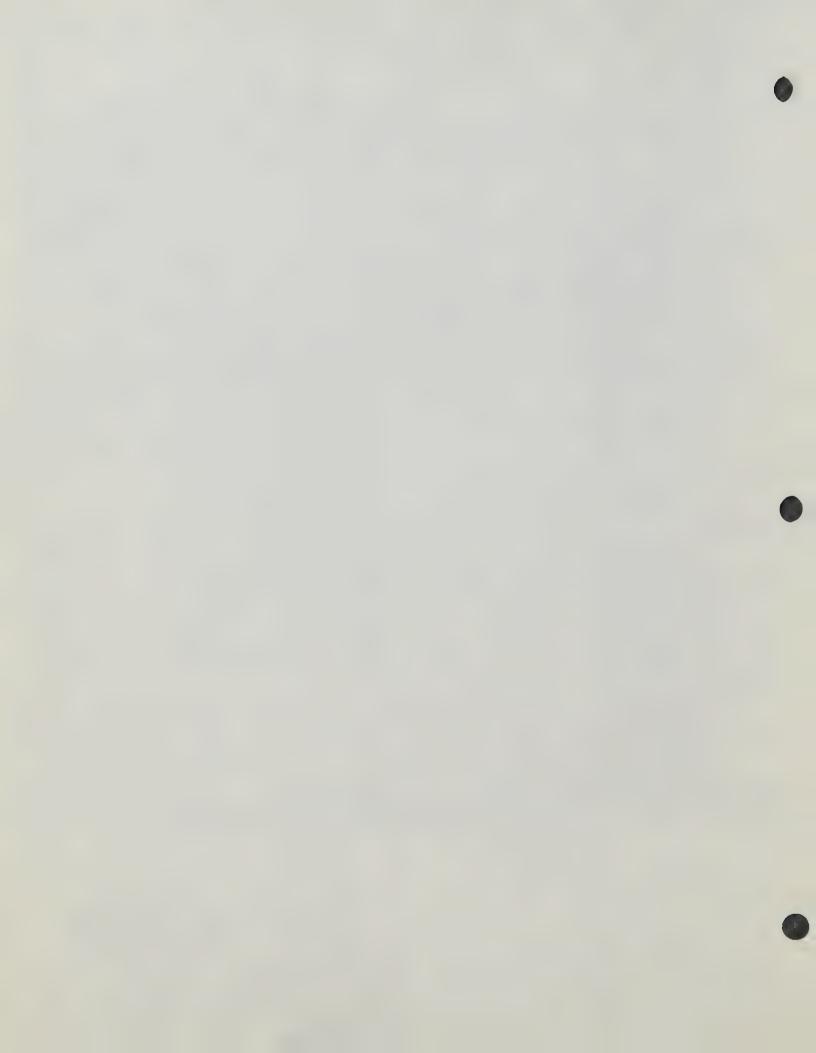
CONCLUSION

A public meeting should be held to obtain input from affected citizens and property owners, following the review of all submissions, a recommended plan will be forwarded to the Planning and Development Committee for consideration.

GG/dkp

WP 0021P









File: P5-4-3-2-2

November 30, 1987

Members of the City of Hamilton Planning and Development Committee

Re: Business Land Use Advisory Board
- Small Business Centre

The Business Land Use Advisory Board, at its meeting of November 20, 1987, reviewed a report prepared for the Region's Economic Development and Planning Committee titled "Small Business Centre Feasibility Study" (memorandum - 692, dated August 24, 1987 - see attached). After some discussion on this matter the Board recommended that, through this Committee and Council, the Region's Economic Development and Planning Committee be requested to consider sites for this "small business centre" in an existing building in the central core of the City.

I am bringing this matter to your attention at the request of the Business Land Use Advisory Board. Should this Committee and Council concur, I recommend the City Clerk be requested to forward this matter to the Region's Economic Development and Planning Committee.

Yours truly,

Alderman John Smith Chairman Business Land Use Advisory Board

CF/dkp Attach.

1.6

c.c. - Saad Ghanem, Director Regional Economic Development Department



Economic Development Department 119 King Street West, 15th floor Hamilton, Ontario, Canada Industrial Development Convention and Tourism (416) 526-4222 Toronto Direct 694-5732 Telex No. 061-8466

Mailing Address: P.O. Eox 910, Hamilton, Ontario L8N 3V9 ' Canada

Refer to File No.

Attention of

Your File No.

MEMCRANDUM: 692

Chairman and Members

Economic Development & Planning Committee

August 24, 1987

RE: Small Eusiness Centre Feasibility Study

PACKEROUND In the 1986 report, "Building on Strength-Realizing Opportunity" (An Economic Strategy For Hamilton-Wentworth), the Region of Hamilton-Wentworth recognized the importance of developing small businessa. The report identified a number of initiatives which were adopted by Regional Council to support and stimulate the Region's small business, including an effort to equip would-be entrepreneurs with the skills and knowledge to handle all the components of developing a small business.

The Romanica Strategy suggested the establishment of a Small Business Cantre, and further recommended that a comprehensive feasibility study, under the direction of a Regional Steering Committee, be undertaken to determine the Centre's exact form and Ltem!

Consequently, at its meeting on January 12, 1987, the Committee approved Terms of Reference to conduct the above mentioned study and in early February a Steering Committee was formed to facilitate the development of a Community Small Business Centre. Then at its meeting on March 30, 1987 the Committee agreed to retain the firm of Hemson Consulting Ltd. to conduct the study.

The major components of the study were: To outline the Centre's basic principles and objectives; to recommend a preferred location and size; to identify key services and target market; and to estimate the extent of financial support required.

DISCUSSION

The final report of Hemson Consulting Ltd. concludes that there is a strong market for a Small Business Centre in Hamilton-Wentworth, and that there are a variety of small business support organizations, including the Region, who would be willing to participate. The report recommends that the Centre should be organized as a non-profit Corporation with strong support from the business community; the Centre would be a one stop shop for small business accommodating 20 to 30 firms in the downtown area. The Consultant did not select a specific site but rather, used a number of example buildings to estimate costs. The Consultants report recommends that all small business initiatives in the Region be co-ordinated and, to this effect; suggests that the operations of both the Business Advisory Centre & Entrepreneurship Institute's Hamilton project be merged with the Small Business Centre operation. The Report also suggested that following approval by the Region, that an Interim Board of Directors be established to manage the establishment of the Centre.

The cost of establishing and operating the Centre needs to be subsidized by the Region. This subsidy, for a central location, and assuming there would be no Provincial financial assistance, has been estimated at \$1 million in the form of a one-time capital subsidy plus an annual operating subsidy of \$80,000 (1987 dollars). The \$80,000 operating subsidy is an average over 10 years, the actual operating deficits are greater in the early years as the Centre is being leased. The Consultants report suggests that the Region's subsidy be in the form of a capital grant of \$1 million applied to the \$1.7 million cost of purchasing and renovating a building (the remaining \$700,000 would be morgaged over 20 years and paid down from rents from the tenants of the Centre). This estimate could vary depending on the specific building selected and the detail cost of improvements.

The allocation of the Region's subsidy between capital and operating funds could be changed without prejudicing the Small Business Centre. For example, a one time capital subsidy of \$1.69 million would mean that no operating subsidy would be necessary. This should be a matter of consideration for the Finance & Personnel Committee. The Economic Strategy recommended that the Region should consider funding a number of small business initiatives, including a Small Business Centre, up to \$1 million per year. The Region's funding requirements for a Small Business Centre, as indicated in the feasibility study, would be well below the continuous commitment suggested by the Economic Strategy. Also, it is assumed that the current level of funding to the Business Advisory Centre (\$43,000 per year from the Region and \$38,000 per year from the Province) continues and is redirected to the Small Business Centre, as the Business Advisory Centre will merge with the Small Business Centre.

Based on the Provincial Government's experience and participation with Small Business Centres in other Communities, Provincial funding for the Centre in the Hamilton-Wentworth area would reduce the Regional subsidy by approximately \$360,000.

Although the economic benefits of a Small Business Centre are both non-quantifiable and quantifiable, this is further addressed in the Report. Furthermore, it estimates that the Hamilton Centre could expect to graduate 85 firms, employing 210 to 255 people after ten years. In effect the propensity of small company failures would be reduced.

RECOMMENDATIONS

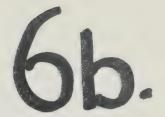
- 1. That this report be received in its entirety;
- 2. That this report be circulated to all organizations concerned in the Region for review and comment; and
- 3. That this project be considered in the 1988 92 Capital Budget.

Respectfully submitted,

Saad Ghanem Director Allan Calvert Projects Liaison Officer

Encls. Bill 79
Study Report





File: P5-4-3-2-2

November 30, 1987

Members of the City of Hamilton Planning and Development Committee

Re: Business Land Use Advisory Board - Symposium for Industrial Growth in Hamilton-Wentworth Region

The Business Land Use Advisory Board at its meeting of November 20, 1987, reviewed the findings of the above-noted Symposium. After considerable discussion on the matter, the Board agreed to advise the Region, through this Committee and Council, that it endorses the twelve Recommendations of the Symposium (see attached) and recommends the Region take them under advisement and be given due consideration in their implementation. The Board, in its deliberation of this item, agreed that Recommendation 8 be revised to include a balance of development opportunities for large and small industries.

I am bringing this matter to your attention at the request of the Business Land Use Advisory Board. Should this Committee and Council concur, I recommend the City Clerk be requested to forward this item to the Region's Economic Development and Planning Committee.

Yours truly,

Alderman John Smith

Chairman

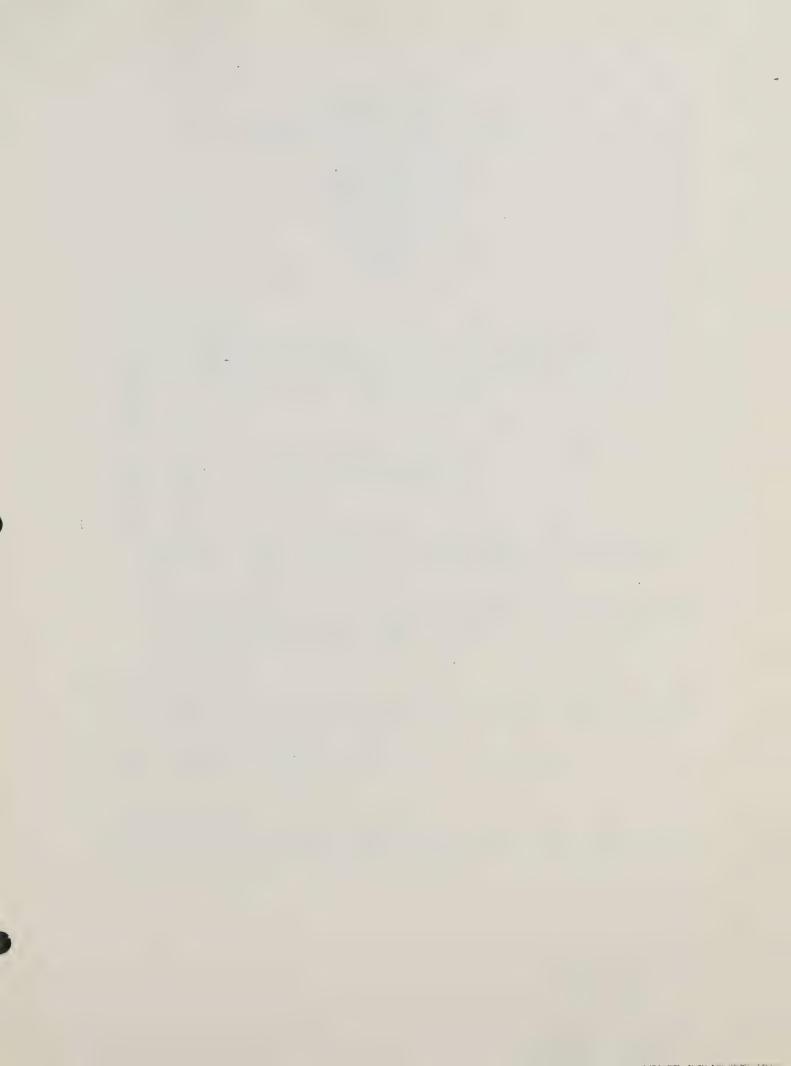
Business Land Use Advisory Board

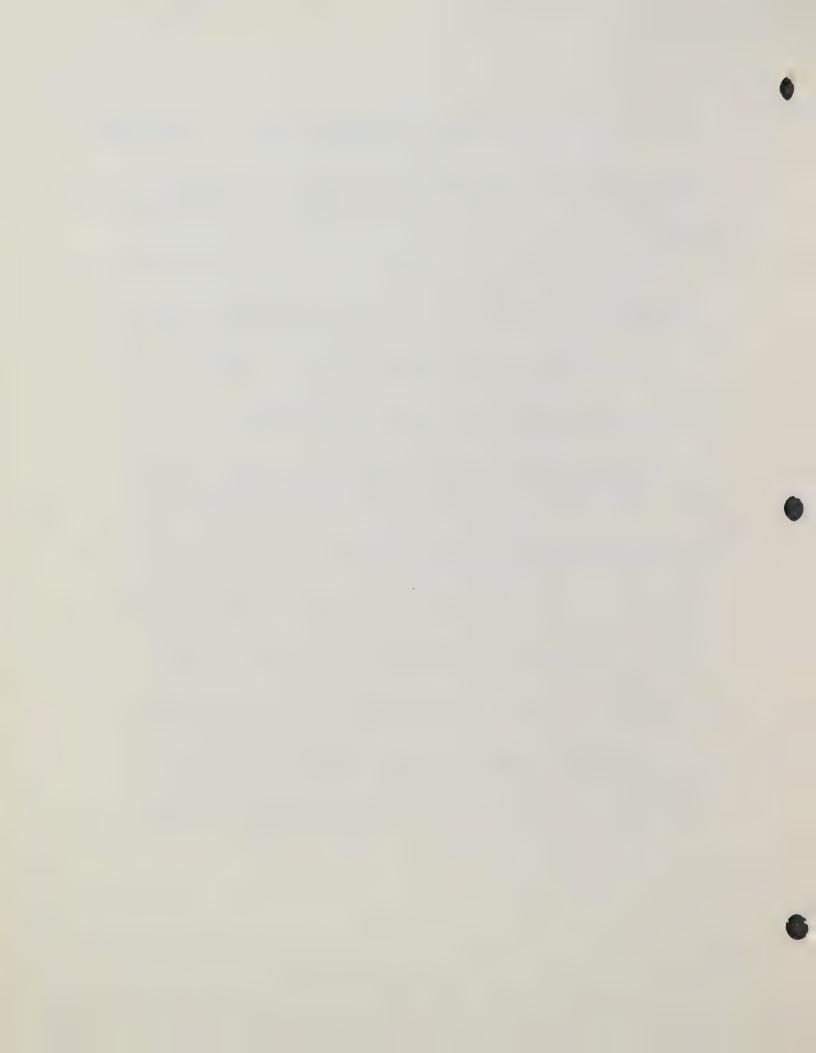
CF/dkp Attach.

c.c. - Saad Ghanem, Director Regional Economic Development Department

RECOMMENDATIONS - from the Symposium for Industrial Growth in Hamilton-Wentworth Region.

- 1. That the Region of Hamilton-Wentworth investigate front end servicing of private land and to recover costs as the development progresses rather than at time of sub-division.
- 2. Industrial Parks be planned to accommodate changing business requirements and land use.
- 3. Test case development of a controlled industrial estate incorporating high standards and restrictive covenants be undertaken by the Regional Municipality of Hamilton-Wentworth.
- 4. Host a reception in and for Toronto area realtors, developers and builders to advise them of opportunities in our Region.
- 5. Continue to develop industrial areas to accommodate business development and act as a catalyst for continued growth throughout the Region.
- 6. A review of the restrictions and covenants currently in place in industrial parks be undertaken which examines the changing needs of the service sector, and that staff continue efforts to target service sector industries as identified in the Economic Strategy.
- 7. Revise marketing efforts to augment and feature the Region's advantageous labour pool and comparative housing costs in selected target markets.
- 8. Concentrate efforts to supply small land parcels to suit demand rather than the assembly of large land parcels.
- 9. Consideration be given for the development of industrial parks on an equitable basis throughout the Region's area municipalities.
- 10. Formation of a task force composed of private and public sector representatives to discuss implementation of the Economic Strategy and image enhancement of our Region.
- 11. That consideration be given to the Hamilton-Wentworth Economic Development Department reporting to the above-noted advisory/task force.
- 12. All efforts be undertaken to expedite the improvement and growth of the Region's transportation system.





ZONING APPLICATIONS

PLANNING AND DEVELOPMENT COMMITTEE

1987 DECEMBER 9TH

3:00 O'CLOCK P.M.

COUNCIL CHAMBERS

AGENDA

A. 3:00 o'clock p.m.

Subdivision Application 87-25 and Zoning Application 87-71, 712176 Ontario Limited (G. DiCienzo), owner for lands located between Upper Ottawa Street and Templemead Drive, south of Silverton Avenue; (Templemead Neighbourhood) - (copy to follow)

B. <u>3:00 o'clock p.m.</u>

Zoning Application 87-83, Antonio Mascia, owner, for property at 270 Main Street West; (Strathcona Neighbourhood)

C. 3:00 o'clock p.m.

- Subdivision Application 87-3Ø and Zoning Application 87-65, F. Silvestri, owner, for lands in the area north of Rymal Road East and west of Upper Gage Avenue; (Eleanor Neighbourhood)
- 2. Zoning Application 87-112, H. C. Harnden and H. A. Anderson, owner and prospective owner, for properties at 1610, 1614, 1620 and 1626 Upper Gage Avenue (Eleanor Neighbourhood)

D. 3:15 o'clock p.m.

Zoning Application 87-100, Silvana Lopez, owner, for property at 1067 King Street West (Westdale Neighbourhood)

- (i) Letter of Submission Zelda Rock, 44 Cline North
- (ii) Petition of Submission

E. 3:15 o'clock p.m.

Zoning Application 87-113, Conire Enterprise Ltd., owner, for property at 1053 Main Street West; (Ainslie Wood East Neighbourhood)

URBAN MUNICIPAL

DEC 1 0 1987



F. 3:15 o'clock p.m.

Zoning Application 87-116, 690372 Ontario Inc., owner, for property at 2794, 2796 and 2800 Barton Street East; (Riverdale East Neighbourhood)

G. 3:30 o'clock p.m.

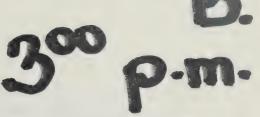
Zoning Application 87-80, 428680 Ontario Limited (H. Schreiber); owner, for property on the north side of Rymal Road East, between Upper Wellington Street and Upper Wentworth Street (Barnestown Neighbourhood)

H. 3:30 o'clock p.m.

Durand Neighbourhood Plan - 1987 Update

Susan K. Reeder Acting Secretary





FROM Planning and Development Department

DATE November 24, 1987

TO Planning and Development Committee Refer to File No. ZA-87-83

STRATHCONA NEIGHBOURHOOD

Attention Of V. J. Abraham

SUBJECT

Request for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations to permit conversion of the existing dwelling located at No. 270 Main Street West into a wearing apparel shop and retain the two apartment units over the shop.

RECOMMENDATION

That approval be given to Zoning Application 87-83, Antonio Mascia, owner, for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for property located at No. 270 Main Street West, as shown on the attached map marked as APPENDIX "A" on the following basis:

- i) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section II of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
 - 1. Notwithstanding Section 11(1) of By-law No. 6593, the ground floor of the existing dwelling may be converted to permit one of the following commercial uses in accordance with the provisions of Section 11A(ii):
 - a tailor's shop;
 - a dressmaker's establishment;
 - a millinery shop;
 - a wearing apparel workshop;
 - an optician's office;
 - a photographer's or artist's establishment;
 - a beauty parlour:
 - i) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-, and that the subject lands on Zoning District Map W-12 be notated S-;

- ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-12;
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The purpose of the By-law is to provide for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to property located at No. 270 Main Street West as shown on the attached map marked as APPENDIX "A".

The intent of the By-law is to permit conversion of the ground floor of the existing dwelling located on the property to one of the following commercial uses:

- a tailor's shop;
- a dressmaker's establishment;
- a millinery shop;
- a wearing apparel workshop;
- an optician's office;
- a photographer's or artist's establishment;
- a beauty parlour;

: Alamalam

V.J. Abraham, M.C.I.P. Director of Local Planning J.D. Thoms, M.C.I.P.

Commissioner

Planning and Development Department

APPLICANT

Antonio Mascia, owner.

LOT SIZE AND AREA

- 10.64 m (34.92 ft.) of lot frontage on Main Street West;
- 21.95 m (72.0 ft.) average lot depth; and,
- 233.5 m² (2513.6 sq. ft.) average lot area.

LAND USE AND ZONING

	Existing Land Use	Existing Zoning
Subject Lands	2-1/2 storey three-family dwelling	"E" (Multiple Dwellings, Lodges, Clubs, etc.) District
Surrounding Lands		
To the north	single family dwellings	"E" (Multiple Dwellings, Lodges, Clubs, etc.) District and "D" (Urban Protected Residential, One and Two- Family Dwellings, Townhouses, etc.) District
To the south	<pre>converted dwellings (commercial/residential)</pre>	"D" (Urban Protected Residential, One and Two-Family Dwellings, Townhouses, etc.) District, modified
To the east	two apartment buildings	"E" (Multiple Dwellings, Lodges, Clubs, etc.) District
To the west	multiple family dwellings	"E" (Multiple Dwellings, Lodges, Clubs, etc.) District

OFFICIAL PLAN

Designated "Residential", the proposal complies.

NEIGHBOURHOOD PLAN

Designated for "Medium Density Apartments" on the approved Strathcona Neighbourhood Plan. In addition, the site is located within a special designation which permits boutique-type shops, studios, cafes, etc. The proposal complies with the approved Strathcona Neighbourhood Plan.

COMMENTS RECEIVED

- The Building Department has advised that:
 - "The proposed use contravenes Section 11(1) of By-law No. 6593 with respect to the wearing apparel shop."
- The <u>Hamilton-Wentworth Engineering Department</u> had advised that:
 - "Public watermains as well as combined storm and sanitary sewers are available to service the subject lands."

The designated road allowance width of Main Street West is 26.21m (86 ft). This road widening policy is currently under review and it is anticipated that the cross section may be reduced to 24.0 m (78.7 ft). It is our understanding, that the applicant intends to incorporate this use into the existing building. We therefore recommend that the rezoning of this property pertain only to the existing buildings and that the owner be advised of the future road widening requirements (see Plan P906A).

However, should the existing buildings be removed or altered, we recommend that the road widenings be dedicated to the Region at this time. Development of the subject lands be set back from the widened limits of Main Street West as shown on the attached plan.

According to the attached Survey Plan, the existing steps at 270 Main Street West encroach into the Main Street West road allowance. We therefore recommend that either the steps be removed, or that the applicant enter into encroachment with the Region."

- The <u>Traffic Department</u> has advised that the application is satisfactory, subject to the provision of off-street parking in accordance with the Zoning By-law 6593.
- The Ministry of Transportation and Communications, Go Transit, The Hamilton Region Conservation Authority and the Local Architectural Conservation Advisory Committee Staff have no comments or objections to the proposal.

COMMENTS

- 1. The proposal complies with the Official Plan.
- 2. The proposal complies with the intent of the approved Strathcona Neighbourhood Plan.
- 3. The proposal has merit and can be supported for the following reasons:
 - it implements the intent of the Neighbourhood Plan to permit boutique-type development;
 - the site is situated in an area where a number of dwellings have already been converted to boutique uses;
 - the site fronts onto a major arterial road (Main Street West) and therefore is readily accessible to the public;
 - off-street parking is available in the rear yard for at least three cars;
 - as the commercial use would not exceed 450 m² (4,844 sq. ft.), off-street parking is not required for the commercial use.

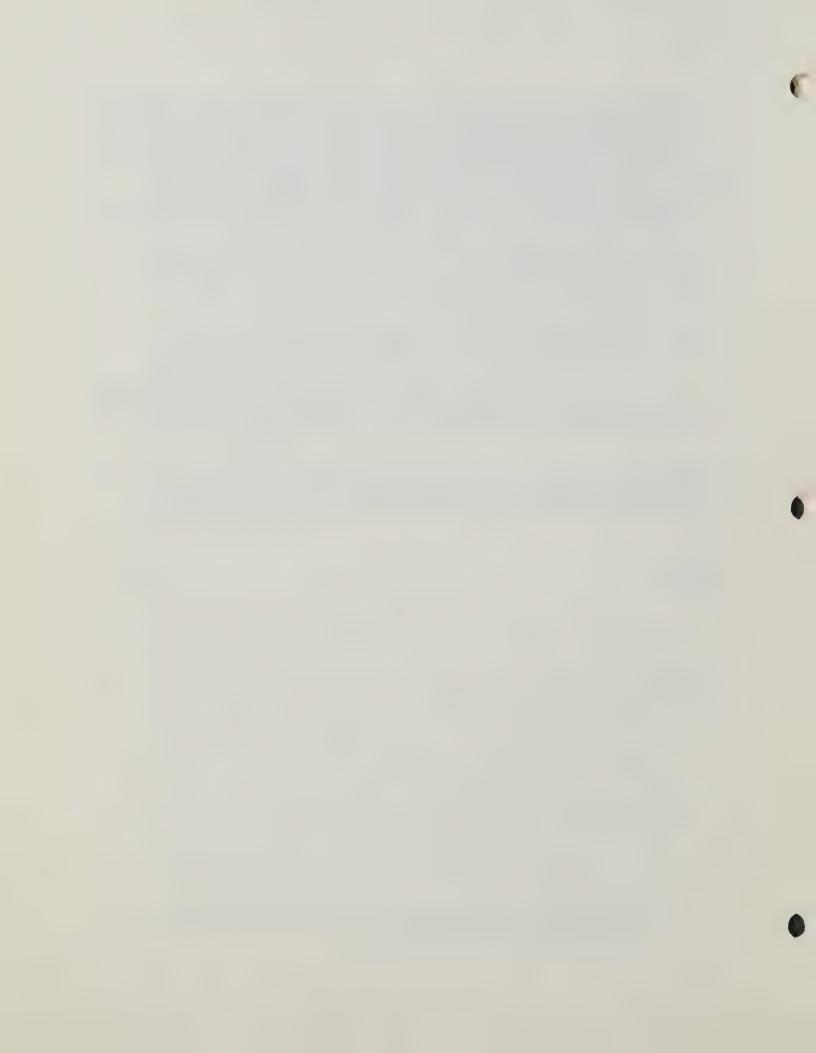
- 4. With respect to the zoning modification, it is suggested that rather than limiting the use to only one as requested by the applicant, it would be more appropriate to provide a "short list" of uses in keeping with the intent of the approved neighbourhood plan. On this basis, it would provide the applicant with some flexibility as to the use of the building, and possibly eliminate the need for further rezoning. It is also suggested that the "E" District be modified to permit conversion of the ground floor of the existing building to permit a short list of commercial uses in accordance with the provision of Section 11A(iii):
 - a tailor's shop;
 - a dressmaker's establishment;
 - a millinery shop;
 - a wearing apparel workshop;
 - an optician's office;
 - a photographer's or artist's establishment;
 - a beauty parlour;

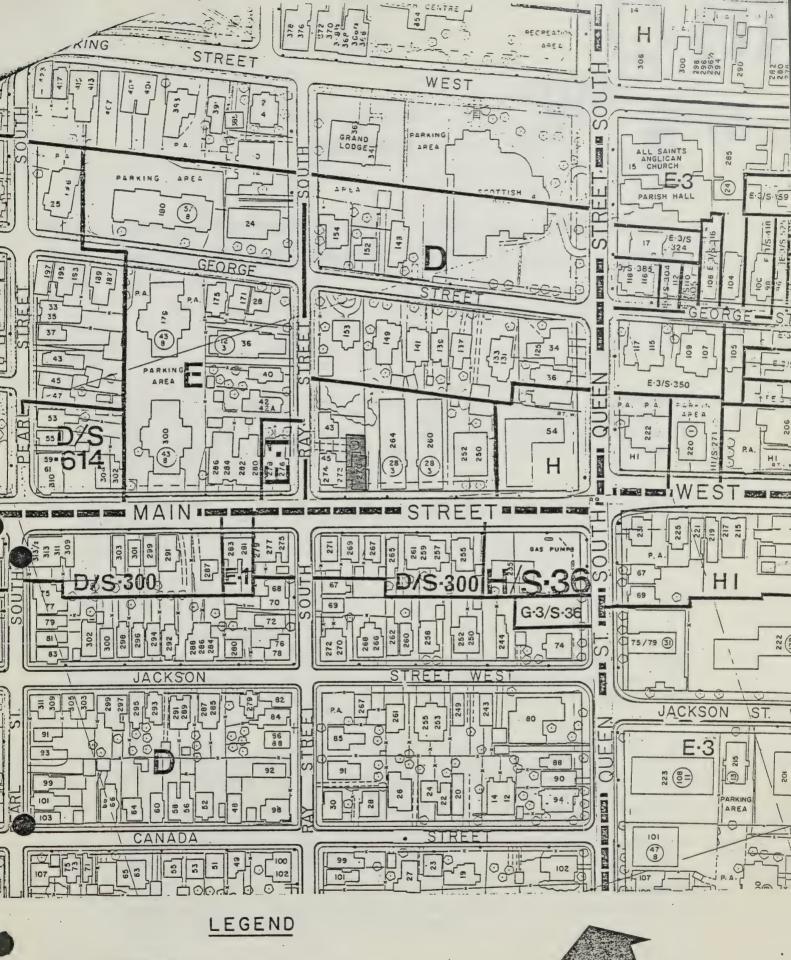
On this basis, the applicant would have flexibility in the types of uses permitted at this location, bearing in mind the intent of the approved Strathcona Neighbourhood Plan.

CONCLUSION

On the basis of the foregoing, the application can be supported.

GAW/sh/cs Attach.







SITE OF THE APPLICATION





FOR ACTION

Second Report

DATE:

300 p.m.

FROM: Planning and Development Department

November 26, 1987

TO: Planning and Development Committee

Refer to File No. SA-87-30 ZA-87-65

Attention V. J. Abraham

SUBJECTS:

- 1. Application to the Region for approval of a draft plan of subdivision, Regional File No. 25T-87040, City of Hamilton File No. SA-87-30, to establish 17 lots for single-family dwellings, 2 blocks for apartment buildings and 7 blocks for development with abutting lands for future single-family dwellings.
- 2. Application to the City of Hamilton for approval of a rezoning, File No. ZA-87-65, for a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "E-2" (Multiple Dwellings) District and "C" (Urban Protected Residential etc.) District.

RECOMMENDATIONS

- 1. Subdivision Application
- a) That approval be given to Application SA-87-30, 456941 Ontario Limited, owner, to establish a draft plan of subdivision fronting on the north side of Rymal Road East and on the west side of Upper Gage Avenue, subject to the following conditions:
 - 1. That approval apply to the plan prepared by A. J. Clarke and Associates, dated August 17, 1987, revised to include a 3.048 m walkway between Rymal Road East and proposed Eaglewood Drive (Block "27"), 2 blocks for 0.3 m reserves (Blocks "28" and "29"), 2 road widening blocks (Blocks "23" and "24"), 2 blocks for development of multiple dwellings (Blocks "25" and "26"), 8 blocks for development in conjunction with adjoining lands and to re-lot and renumber the plan to now show 16 lots and 15 blocks.
 - 2. That the plan not be registered until such time as road access is provided by the extension of Eaglewood Drive from Sinena Avenue to the northerly limit of the subject lands.

- 3. That the owner acquire sufficient lands to establish all roads to a width of 20 m.
- 4. That the road allowances and widenings (Blocks 23 and 24) be dedicated as public highways and the walkway be dedicated as a public walkway on the final plan.
- 5. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- 6. That the final plan conform with the Zoning By-law approved under the Planning Act.
- 7. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
- 8. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- 9. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
- 10. That the dead-ends and open sides of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of adjacent lands.
- 11. That Blocks "17" to "22" inclusive and Blocks "30" and "31" be developed only in conjunction with abutting lands.
- 12. That the owner shall erect a sign in accordance with Section X of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
- 13. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-87-30), 456941 Ontario Limited, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

c) That the Eleanor Neighbourhood Plan be amended to adjust the boundaries between the residential designations and to relocate the walkway to comply with the approved draft plan.

Zoning Application

That approval be given to an amended Zoning Application 87-65, Frank Silvestri (In Trust), owner and prospective owner, requesting changes in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) district to "E-2" (Multiple Dwellings) District and "C" (Urban Protected Residential, etc.) District to permit the development of the subject lands for single family dwellings and multiple dwellings for the properties located at Nos. 829 Rymal Road East (in part), 837 Rymal Road East and 1606 Upper Gage Avenue (as shown on the attached map marked as Appendix "A") on the following basis:

- i) That Block "l" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- ii) That Blocks "2" and "4" be rezoned from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District;
- iii) That Blocks "3" and "5" be rezoned from "C" (Urban Protected Residential, etc.) District to "E-2" (Multiple Dwellings) District
- iv) That Block "6" be rezoned from "AA" (Agricultural) District to "R4" (Small Lot Single Family Detached) District.
- v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38D and E-38E;
- vi) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The purpose of this By-law is to provide for changes in zoning for the properties located at Nos. 829 Rymal Road East (in part), 837 Rymal Road East and 1606 Upper Gage Avenue (as shown on the attached map marked as Appendix "A"):

Block "l" - Change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District

Blocks "2" - Change in zoning from "AA" (Agricultural) District to "E-2" & "4" (Multiple Dwellings) District

Blocks "3" - Change in zoning from "C" (Urban Protected Residential, etc.) & "5" District to "E-2" (Multiple Dwellings) District

Block "6" Change in zoning from "AA" (Agricultural) District to "R4" (Small Lot Single Family) District.

The purpose of the proposed changes in zoning is to permit the development of the subject lands for single family dwellings (Block "l"), and multiple dwellings (Blocks "2", "3", "4" and "5").

Respectfully submitted,

J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development

V. J. Abraham, M.C.I.P. Director - Local Planning

Maham

BACKGROUND

Owner

456941 Ontario Limited, c/o Frank Silvestri, Hamilton, Ontario.

Surveyor

A. J. Clarke and Associates, Hamilton, Ontario

Location

The lands, comprising 1.535 ha, are located on the north side of Rymal Road East and the west side of Upper Gage Avenue in the Eleanor Neighbourhood, being part of Lot 7, Concession 8, Township of Barton, now in the City of Hamilton.

LAND USE AND ZONING

	Existing Land Use	Existing Zoning
to the north	vacant lands of a draft approved subdivision	"R-4" (Small Lot Single- Family Detached) District and "C" (Urban Protected Residen- tial, etc.) District
to the south	single-family dwellings fronting onto Rymal Road	"C" (Urban Protected Residential, etc.) District

to the east

large lot single-family dwellings fronting onto

Upper Gage Avenue

"AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District

to the west

vacant rear lands of large lots fronting onto Rymal

Road

"AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District

PROPOSAL

The owner proposes to subdivide the lands into 17 lots for single-family dwellings, 2 blocks for apartment buildings and 7 blocks for development with abutting lands for future single-family dwellings. The lots will be serviced from new streets extending southerly from proposed Eaglewood Drive at the north limit of the lands and the apartment blocks will be serviced from Rymal Road East and Upper Gage Avenue. The minimum lot size proposed has a width of 12.2 m and an area of 372 m^2 .

EXISTING DEVELOPMENT CONTROLS

Hamilton-Wentworth Official Plan - the lands are identified as "Residential and Related Uses" within the "Urban Policy Areas". The proposal complies.

<u>City of Hamilton Official Plan</u> - the lands are designated "Residential". The proposal complies.

Neighbourhood Plan - the lands are designated for "Residential - single and double", "Residential - medium density apartments" and "walkway" uses. Subject to minor adjustment of the boundary between the residential designations on the neighbourhood plan and the inclusion of a walkway block on the draft plan of subdivision, the proposal will comply.

Niagara Escarpment - the lands are not within the "Development Control Area", therefore, the regulations do not apply.

Zoning - the lands are zoned "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District. An amendment to the Zoning By-law is required to rezone the "AA" District area and part of the "C" District area to appropriate categories.

COMMENTS FROM CIRCULATION

1. Subdivision Application

The following agencies have advised that they have no comment or objection toward the proposal:

Ministry of Transportation and Communications
Ministry of the Environment (subject to standard noise conditions for apartment blocks)
Ministry of Natural Resources
Ministry of Citizenship and Culture
Niagara Escarpment Commission
Hamilton Region Conservation Authority
Ontario Hydro, Union Gas, Bell Telephone
City of Hamilton Board of Education
City of Hamilton Traffic Department (subject to provision of road access)
City of Hamilton Building Department (subject to rezoning).

The Hamilton-Wentworth Department of Engineering has submitted the following comments and recommendations:

- "1) The plan be registered after Eaglewood Drive north of the plan is established as a street.
- 2) The streets be opened to full width of 20 m with 0.3 m Reserve along the open sides.
- 3) The owner enters into a Regional and a City Subdivision Agreement.
- 4) Sufficient lands be dedicated for road widening purposes to establish Upper Gage Avenue and Rymal Road to a width of 18.29 m from the centre line of construction.
- The submitted plan prepared by A. J. Clarke and Associates, dated August 17, is satisfactory to the Department of Engineering.
- 6) For your information, services will be available up on the Eaglewood Drive north of this subdivision and we do not expect any Regional service cost."

Zoning Application

The following have advised that they have no comment or objection:

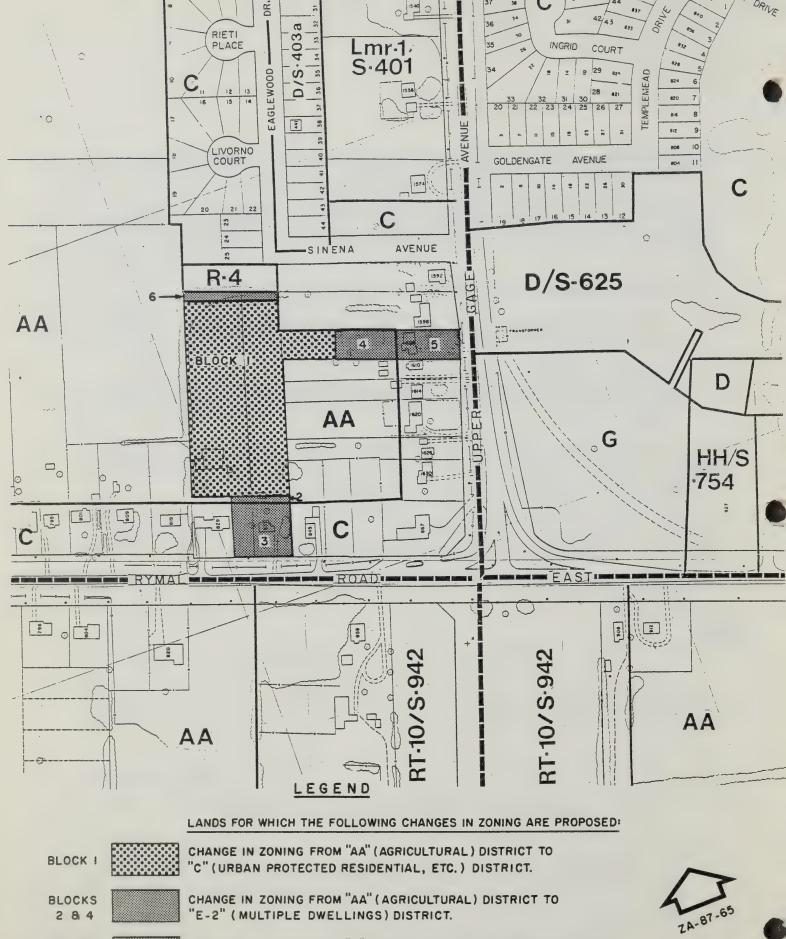
City Building Department
City Traffic Department
Hamilton-Wentworth Department of Engineering (subject to road widenings)
Hamilton Region Conservation Authority.

COMMENTS

1. This report deals with and includes recommendations in regard to a proposed draft plan of subdivision and proposed amendments to the Zoning By-law to implement the plan.

- 2. The conformity of the proposal with the Official Plans and the need for Zoning By-law and Neighbourhood Plan amendments is noted.
- 3. As no part of the subject lands is designated for park and recreational use on the approved neighbourhood plan, it is recommended that the parkland requirement for this subdivision be taken as cash-in-lieu of land.
- 4. The proposal warrants consideration for the following reasons:
 - a) The proposed single-family dwellings and multiple dwellings comply with the intent of the Neighbourhood Plan;
 - b) The "E-2" zoning is an appropriate zoning category for the "Medium Density Apartment" designation in the Eleanor Neighbourhood Plan. The lands may be developed on their own or in conjunction with abutting lands.
- 5. Under the "E-2" District provisions, the lands are subject to Site Plan Control By-law 79-275. Matters such as parking, access, grading, landscaping etc. will be reviewed during the Site Plan process.
- 6. The proposed changes to the Neighbourhood Plan land use designations and walkway location should be implemented upon approval of the zoning application and the draft plan of subdivison by City Council.

CMD/.id



"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

BLOCKS
2 8 4

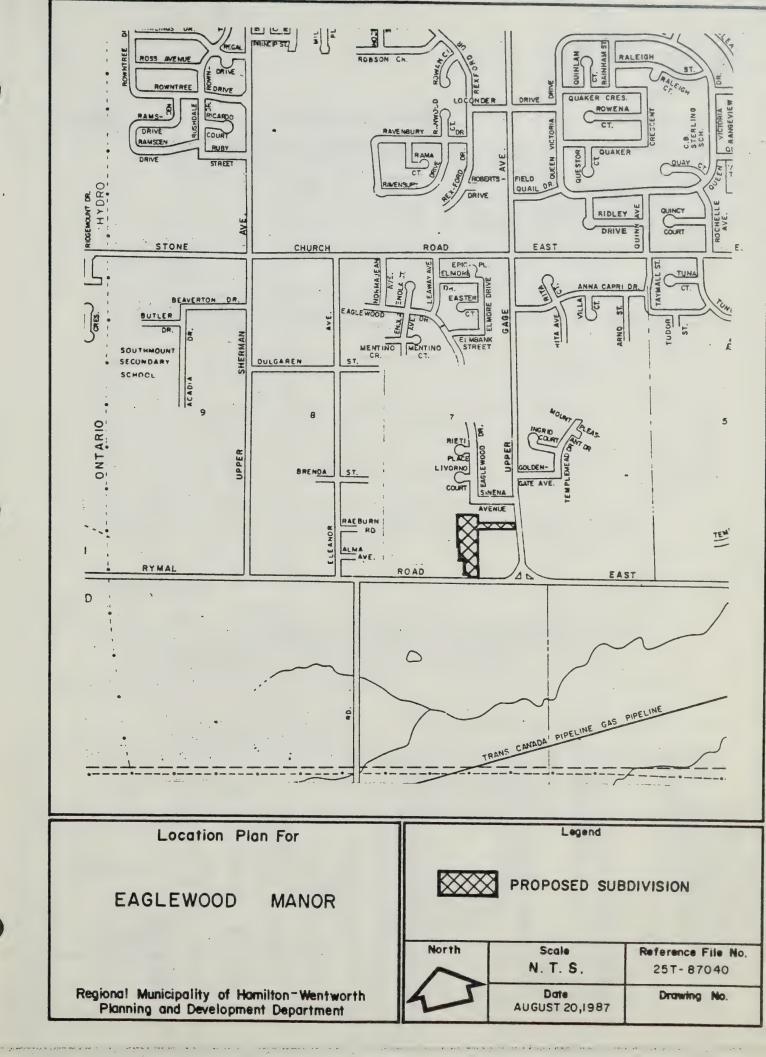
CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO
"E-2" (MULTIPLE DWELLINGS) DISTRICT.

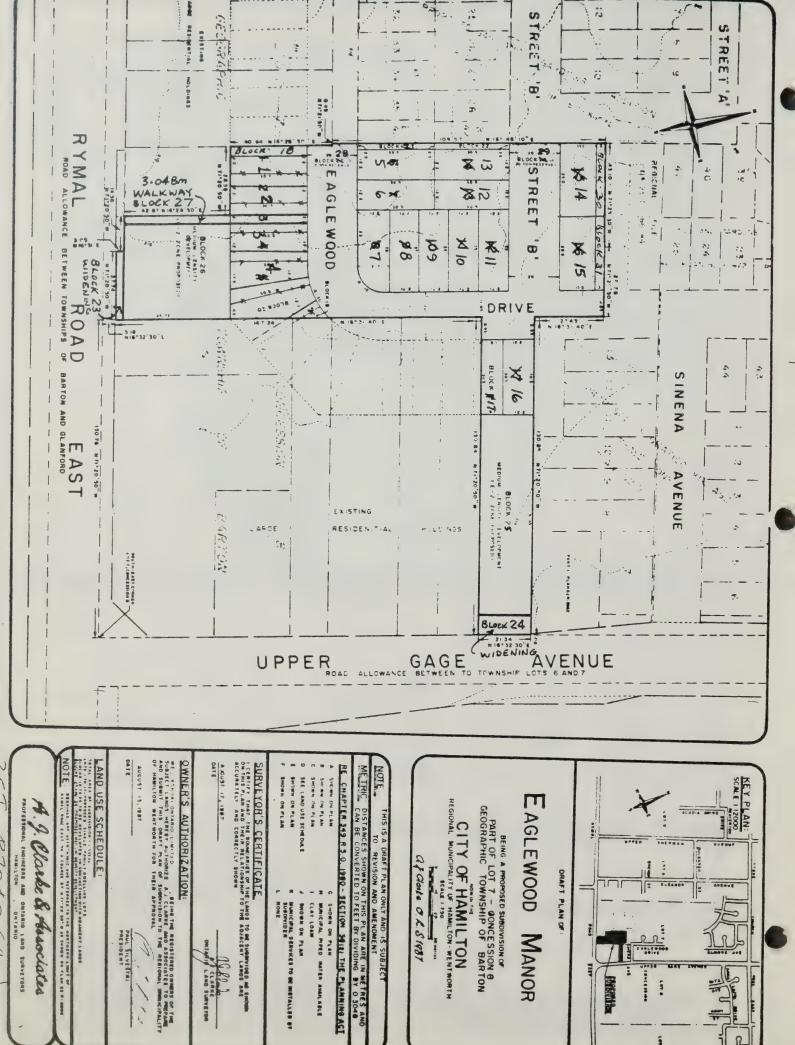
BLOCKS
3 8 5

CHANGE IN ZONING FROM "C" (URBAN PROTECTED RESIDENTIAL, ETC.)
DISTRICT TO "E-2" (MULTIPLE DWELLINGS) DISTRICT.

BLOCK 6

CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO
"R-4" (SMALL LOT SINGLE FAMILY DETACHED) DISTRICT.





FOR ACTION

300 p.m.

FROM: Planning and Development Department

DATE: November 27, 1987

T0:

Planning and Development Committee

REFER TO FILE NO: ZA-87-112

Eleanor Neighbourhood

Attention of: V. J. Abraham

SUBJECT

Request for a change in zoning for properties at Nos. 1610, 1614, 1620 and 1626 Upper Gage Avenue as shown on the attached map marked as APPENDIX "A" on the following basis:

Block 1 - Change from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

Block 2 - Change from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District;

Block 3 - Change from "C" (Urban Protected Residential, etc.)
District to "E-2" (Multiple Dwellings) District.

The purpose of the proposed changes in zoning is to permit development of Block I for single-family dwellings, and development of Blocks 2 and 3 for multiple dwellings (Townhouse or Apartments).

RECOMMENDATION

- 1. That approval be given to Zoning Application ZA-87-112, H.C. Harnden and H. A. Anderson, owners, and prospective owners, for a change in zoning for properties at Nos. 1610, 1614, 1620 and 1626 Upper Gage Avenue as shown on the attached map marked as APPENDIX "B", on the following basis:
 - i) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - ii) That the lands described as Block 2 be rezoned from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District;

- iii) That the lands described as Block 3 be rezoned from "C" (Urban Protected Residential, etc.) District to "E-2" (Multiple Dwellings) District;
 - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-38D;
 - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
 - vi) That the Eleanor Neighbourhood Plan be amended by changing the south-west corner of Block 2 on APPENDIX "A" from "Medium Density Apartments" to a "Single and Double" residential land use designation, and by realigning the proposed neighbourhood collector road at this location to accommodate a 90° turn.

EXPLANATORY NOTE

The purpose of the by-law is to provide for the following changes in zoning for property located at Nos. 1610, 1614, 1620 and 1626 Upper Gage Avenue, as shown on the attached map marked as APPENDIX "B" on the following basis:

- Block 1 Change from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- Block 2 Change from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District;
- Block 3 Change from "C" (Urban Protected Residential, etc.)
 District to "E-2" (Multiple Dwellings) District.

The effect of the by-law is to permit development of the subject lands for single-family dwellings (Block 1) and multi-family dwellings (townhouses or apartments on Blocks 2 and 3).

V. J. Abraham, M.C.I.P. Director of Local Planning

-Alraham

J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development

APPLICANT

Hilliard Clark Harnden and Helen Ann Anderson, owner and prospective owner.

LOT SIZE AND AREA

- 74.98 m (246.0 ft.) of lot frontage on Upper Gage Avenue;
- 130.75 m (429.0 ft.) of lot depth; and,
- 9,8041.1 m² (105,534 sq. ft.) of lot area.

LAND USE AND ZONING

	Existing Land Use	Existing Zoning
Subject lands	Occupied by four single-family dwellings	"C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District
Surrounding Lands		
To the north	Single-family Dwellings	"C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District
To the south	Vacant lands, a Single-Family Dwelling and a Restaurant	"AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District
To the east	Vacant Lands	"G" (Neighbourhood Shopping Centre, etc.) District
To the west	Vacant Lands	"AA" (Agricultural) District

OFFICIAL PLAN

Designated "Residential", the proposal complies.

NEIGHBOURHOOD PLAN

Designated as follows on the approved Eleanor Neighbourhood Plan:

Block 1 and the south-west corner of "Single and Double" Residential

Balance of Block 2 and Block 3

"Medium Density Apartments

The proposal would involve an amendment to the approved Eleanor Neighbourhood Plan to redesignate the south-west corner of Block 2 from "Medium Density Apartments" to "Single and Double" residential use. In addition, because the internal neighbourhood collector road (Eaglewood Drive) is being realigned to accommodate a 90° turn, rather than a broad sweeping radius, it is necessary to also amend the approved road pattern at this location.

COMMENTS RECEIVED

- The <u>Building Department</u>, <u>Hamilton Region Conservation Authority</u>, <u>Traffic Department</u> and the <u>Local Architectural Conservation Advisory Committee</u>

 Staff have no comments or objections.
- The Hamilton-Wentworth Engineering Department has advised that:

"Public watermains as well as separate storm and sanitary sewers are available to service the subject lands from Upper Gage Avenue. Further services will be available when lands to the west of the subject lands are developed.

The designated road allowance width of Upper Gage Avenue is 36.58 m (120 ft.). We recommend as a condition of development approval that sufficient lands be dedicated to the Region to establish the property line 18.29 m (60 ft.) from the centre line of the original Upper Gage Avenue road allowance.

As a condition of development approval, the subject lands should be developed through a satisfactory plan of subdivision since the lands to the rear are designated for street purposes.

It is also our understanding that the Eleanor Neighbourhood Plan has been modified to reflect a 90° angle in the road system. The zoning boundaries may have to be modified to reflect the revised plan. Should these lands not be developed through a plan of subdivision and agreement, we require that the applicant/owner enter into an agreement with the Region and the City for the dedication of lands or internal roadways to the City and the recovery of municipal servicing costs, etc.

Any work within the Upper Gage Avenue road allowance, as widened, must conform to the Region's Roads Use By-law.

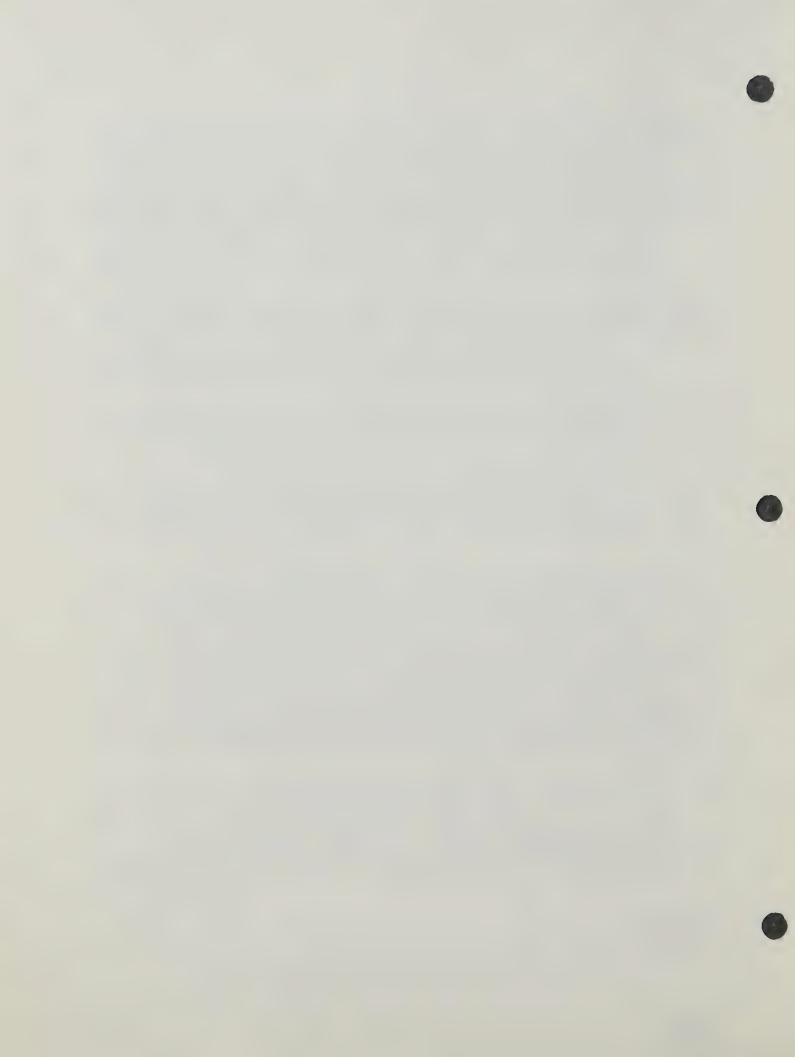
The applicant should be advised that the future reconstruction and widening of Upper Gage Avenue may result in the construction of raised concrete median islands. These islands may restrict access to the subject lands."

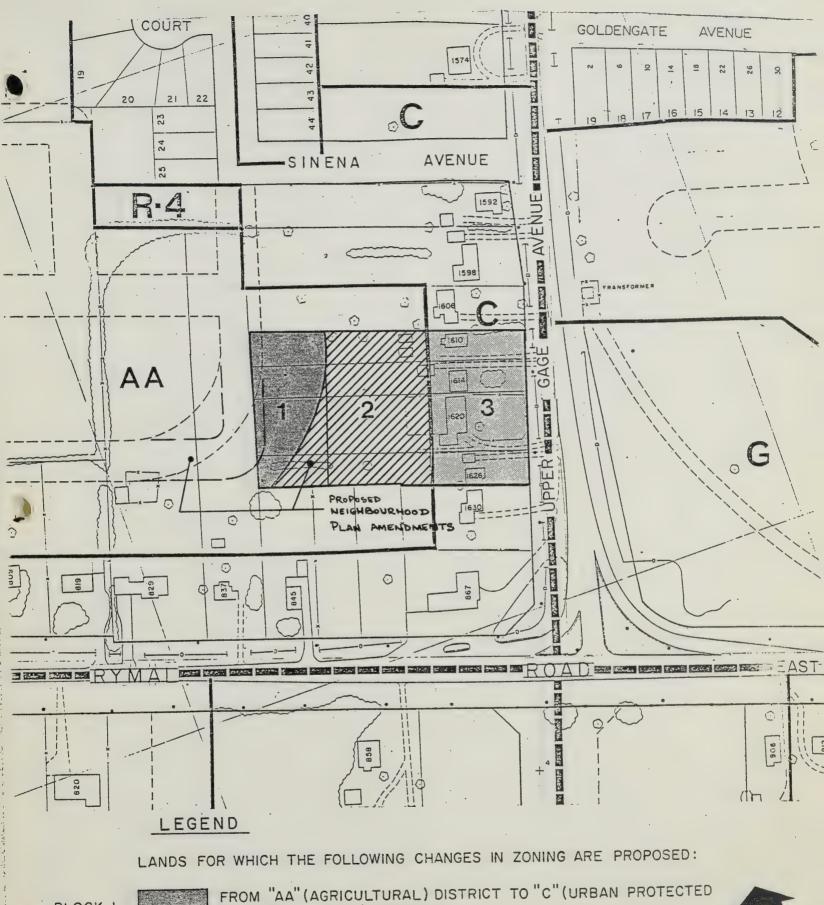
COMMENTS

- 1. The proposal complies with the intent of the Official Plan.
- 2. The proposal does not fully implement the intent of the approved Eleanor Neighbourhood Plan. In this regard, to bring the proposal into conformity, it will require redesignation of the south-west corner of Block 2 as shown on APPENDIX "A" from "Medium Density Apartments" to "Single and Double" Residential use, and as well, an amendment to the approved road pattern at this location.
- 3. The proposal has merit and can be supported for the following reasons:
 - o It complies with the intent of the Official Plan, and except for a minor change in land use and to the road pattern, complies with the intent of the approved Eleanor Neighbourhood Plan;
 - o The proposed multiple dwelling blocks are ideally situated at the periphery of the neighbourhood where higher density development is encouraged along the major arterial road system.
 - The site in question is located within close proximity to the intersection of Upper Gage Avenue and Rymal Road East, where higher density development is proposed, and is readily accessible to existing and proposed commercial development and public transit routes.
- 4. The recommended zoning as shown on APPENDIX "B" ("C" for Block 1 and "E-2" for Blocks 2 and 3) would be the appropriate zoning for the proposed development as it would be compatible with the type of development proposed on adjoining lands to the north and south (ZA-87-65) which is for multi-family development. The requested "E-2" zoning would provide the applicant the option of developing the site with either apartments, or townhouses in accordance with the "RT-20" District regulations. In either case, the multiple dwelling blocks are subject to the provisions of Site Plan Control By-law 79-275. In this regard, matters related to parking, landscaping, grading, fencing, access road widenings, etc., can be further regulated at the site plan approval stage of development.
- 5. In the absence of a preliminary site plan for the proposed multiple residential blocks, the development must comply with the "E-2" District regulations. On the basis of a neighbourhood density calculation of 100 units per gross ha (40 units per gross acre) for medium-density apartment development, the site would yield approximately 75 dwelling units. The maximum building height permitted at this location would be eight storeys or 26.0 m (85.30 ft.).

CONCLUSION

On the basis of the foregoing, the application can be supported.



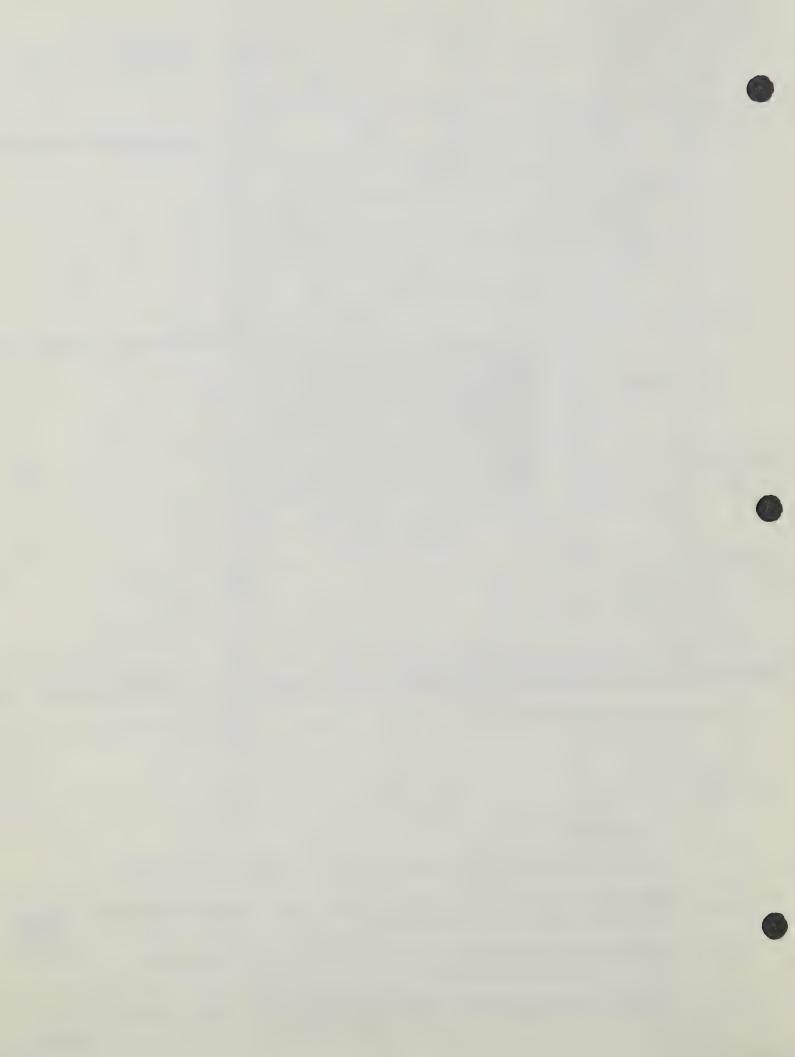


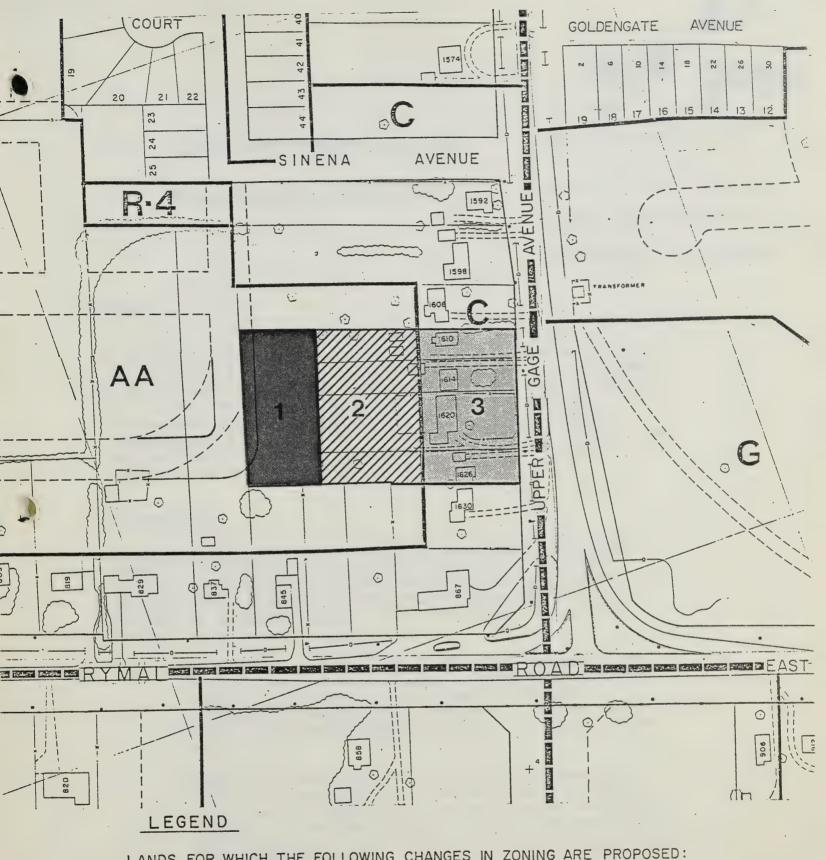
BLOCK I RESIDENTIAL, ETC) DISTRICT.

FROM "AA" (AGRICULTURAL) DISTRICT TO "E-2" (MULTIPLE BLOCK 2 DWELLINGS) DISTRICT.

FROM "C"(URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "E-2" (MULTIPLE DWELLINGS) DISTRICT. , BLOCK 3

APPENDIX A



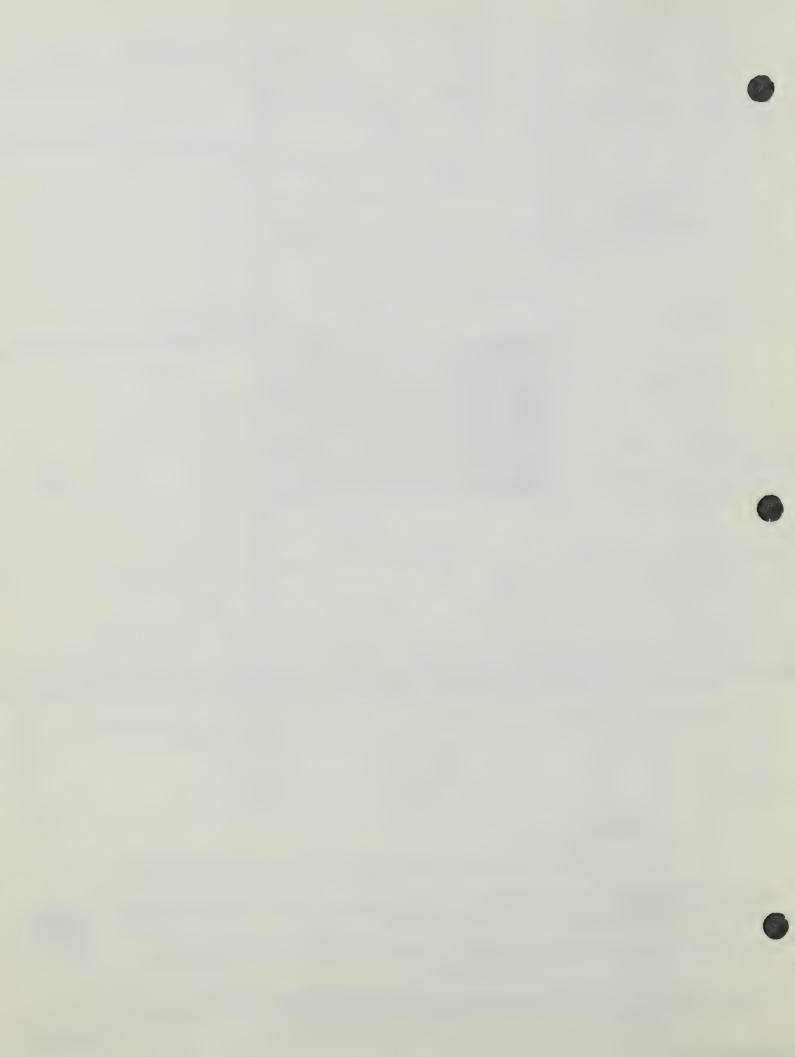


LANDS FOR WHICH THE FOLLOWING CHANGES IN ZONING ARE PROPOSED:

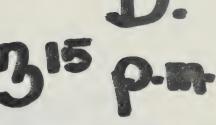
FROM "AA" (AGRICULTURAL) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC) DISTRICT. BLOCK I

FROM "AA" (AGRICULTURAL) DISTRICT TO "E-2" (MULTIPLE BLOCK 2 DWELLINGS) DISTRICT.

FROM "C"(URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "E-2" (MULTIPLE DWELLINGS) DISTRICT. , BLOCK 3 APPENDIX B



FOR ACTION



FROM: Planning and Development Department DATE: November 23, 1987

TO: Planning and Development Committee REFER TO FILE NO: ZA-87-100

WESTDALE SOUTH NEIGHBOURHOOD

Attention of: V. J. Abraham

SUBJECT

Request for a change in zoning from "C" (Urban Protected Residential, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District for property at No. 1067 King Street West, as shown on the attached map. The purpose of the proposed change in zoning is to permit the use of the entire existing dwelling for a hairdressing salon. The recently erected sign on the property indicates that the second floor will be for residential use, but the applicant has since amended the application to allow the entire dwelling to be use for hairdressing use.

RECOMMENDATION

That Zoning Application 87-100, Silvana Lopez, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District for property located at No. 1067 King Street West, as shown on the attached map marked as APPENDIX "A" be denied for the following reasons:

- 1. It represents an intrusion of commercial development into an established residential area, in that the subject property is adjoined by single-family residential development to the south and west, and is located opposite single-family development on the north side of King Street West.
- 2. Conversion of the single-family dwelling to commercial would be incompatible in the area to the west of Newton Avenue/Sterling Street, and would establish an undesirable precedent and set the stage for future similar applications along both sides of King Street West to further expand the strip commercial area.

3. There is an adequate supply of commercially zoned lands in the Westdale Village area to accommodate the proposal without the need to rezone additional lands.

V. J. Abraham, M.C.I.P.
Director of Local Planning

J. D/ Thoms, M.C.I.P.

Commissioner

Planning and Development

APPLICANT

Silvana Lopez, owner.

LOT SIZE AND AREA

- 9.14 m (30.0 ft.) of lot frontage on King Street West;
- 30.48 m (100.0 ft.) of lot depth; and,
- 278.7 m² (3,000 sq. ft.) of lot area.

LAND USE AND ZONING

	Existing Land Use	Existing Zoning
Subject Lands	Single-family dwellings	"C" (Urban Protected Residential, etc.) District
Surrounding Lands		
To the north	Single-family dwellings, mixed retail commercial and apartment uses	"C" (Urban Protected Residential, etc.) District and "G" (Neighbourhood Shopping Centre, etc.) District
To the south	Single-family dwellings,	"C" (Urban Protected Residential, etc.) District

To the east

Mixed retail commercial

and apartments

"G" (Neighbourhood Shopping Centre, etc.) District

To the west

Single-family dwellings, mixed retail commercial and apartment uses

"C" (Urban Protected Residential, etc.)

District

OFFICIAL PLAN

Designated "Residential", the proposal complies with the intent of the Official Plan in that "Local Commercial" uses which serve the daily needs of surrounding residents and which depend primarily on pedestrian access are permitted within this designation.

NEIGHBOURHOOD PLAN

A Neighbourhood Plan is not available for the Westdale South Neighbourhood.

ECONOMIC FACTORS

The applicant has advised that the proposal will result in the establishment of six cosmetologists' jobs. During the reconstruction/alteration stage of development, at least eight to 14 jobs will be created. Manpower will consist of people mainly from firms located in the City of Hamilton. Total cost of the project will be less than \$100,000 and products and materials will be contracted locally.

COMMENTS RECEIVED

- The <u>Building Department</u>, <u>Hamilton Region Conservation Authority</u>, <u>the Local Conservation Advisory Committee Staff</u> have no comments or <u>objections</u>.
- The <u>Traffic Department</u> has advised that:

"The application to permit the expansion of the existing hair salon is satisfactory, subject to the provisions of the off-street parking in accordance with the Zoning By-law 6593. We recommend that the total commercial floor area of both the existing and proposed commercial use be used to calculate the required parking. We wish to advise that we would not be prepared to support any variance to the by-law to reduce the required parking."

Note: The applicant also owns the adjoining property to the east within a "G" (Neighbourhood Shopping Centre) District.

- The <u>Hamilton-Wentworth Engineering Department</u> has advised that full urban services are available to service the subject lands. For the information of the applicant:
 - any work within the King Street West road allowance must conform to the City of Hamilton Streets By-law.
 - According to our records, the alley to the rear of the subject lands is public unassumed.

COMMENTS

- 1. The proposal would not conflict with the intent of the Official Plan.
- 2. A Neighbourhood Plan is not available for the Westdale South Neighbourhood.
- 3. The proposal to rezone the subject lands from "C"(Urban Protected Residential, etc.) District to "G" (Neighbhourhood Shopping Centre, etc.) District cannot be supported for the following reasons:
 - it represents an intrusion of commercial development into an established residential area, in that the subject property is adjoined by single-family residential development to the south and west, and is located opposite single-family development on the north side of King Street West;
 - conversion of the single-family dwelling to commercial would be incompatible with established residential development in the area to the west of Newton Avenue/Sterling Street, and would establish an undesirable precedent and set the stage for future similar applications along both sides of King Street West to further expand the strip commercial area; and,
 - there is an adequate supply of commercially zoned lands in the Westdale Village area to accommodate the proposal without the need to rezone additional lands.

CONCLUSION

On the basis of the foregoing, the application cannot be supported.

GW:CS Attach.

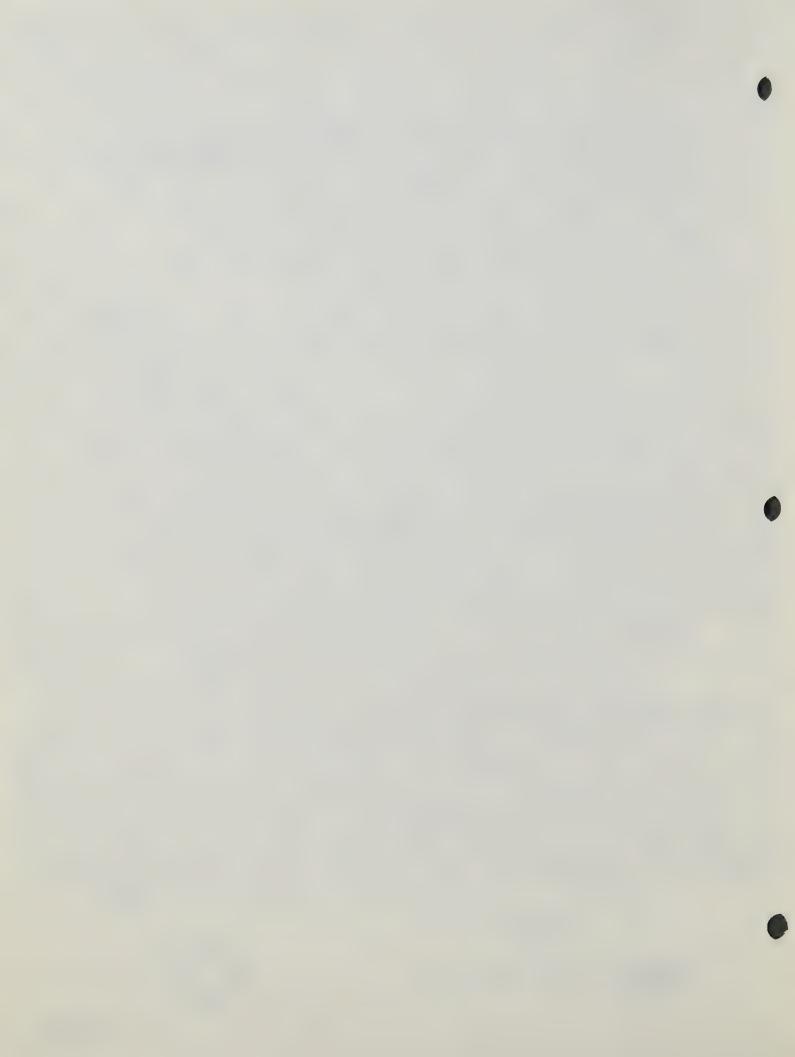


LEGEND



SITE OF THE APPLICATION





November 25, 1987

44 Cline Ave North Hamilton, Ont L88 3Z4

Chairman
Planning and Development Committee
City Hall Hamilton L8N 3T4

Gentlemen:

Planning Department File: ZA-87-100 re: 1067 King Street West, Westdale

I wish to protest the proposed change in zoning from "C" (Urban Protected Residential etc) District to "G" (Neighbourhood Shopping Centre etc.) District for the above-noted property.

I note from the public letter that the application presented complies with the City of Hamilton Plan. Given the changes that are beginning to pramatically alter the integrity of this neighbourhood in the past 18 months to 2 years. It is small wonder that cynicism can be palpated in the Westend, since some of the changes taking place have been opposed. Yet, they have taken effect nontheless.

If the application complies with the City of hamilton Plan why are neighbours asked for input both pro and con the application? Is this simply a formality to have input forwarded only to have whatever proposed changes are requested appear not to be rubberstamped?

I realize my anger is clearly evident and I might add it expresses quite well the feelings in the neighbourhood as evidenced by the unprecedented turnout of the public to a meeting held on another topic November 15, 1987, regarding the subject of Student Rooming Houses in this heighbourhood.

The point, is anyone listening to the citizens in the Westend'r This particular application is to change a residential property to a commercial one — Is this to mean now that all the residential homes from Sterling along King Street West to the

2/

University will be vulnerable to changes to commercial uses?

and a series of the series and

What impact is to be made upon abutting streets to King Street, westerly to the University, such as Cline, Haddon, Dromore, Forsythe etc?

With due respect to Ms Lobez the owner, who presently has her business in commercial space surely there is other commercial space available in the neighbourhood where she may operate her business without impacting upon the residential zoning of this section of the street?

The integrity of this neighbourhood has been under attack for the last 18 months to 2 years by absentee owners buying into the area, turning residentially zoned homes into student rooming houses and now the breakdown of the residential nature of king Street West is under attack. It is just a matter of time before this whole area will no longer be appealing for its residential flavour and real estate values will alter accordingly.

I urge the Planning and Development Committee to be aware that a community takes many years to form and requires many intangible elements to come together to keep a sense of community. Westdate has attracted many interesting, wonderful people who come here with very similar values and ideas, and who feel comfortable with the ambiance here. Do not help to destroy this by allowing the change to a commercial zoning, especially as there does not seem to be community need for this change.

I thank you for the opportunity to express my opinion in this matter.

Yours truly,

Zeldá Rock

ZR/ut

c.c. Mrs Mary Kiss - Alderwoman Ward i c.c. Mr Merry Cook - Alderman Ward i

DCT 15 105

September 24, 1987

We, the undersigned, are firmly opposed to the re-zoning of 1067 King Street West, Hamilton from residential to commercial.

We feel that re-zoning would establish an undesirable precedent in the area of our homes, and that it is unnecessary in that Westdale already has sufficient commercial locations.

NAME (please print) **ADDRESS** SIGNATURE HEATHER STEIGVILAS (1071 KING ST. WEST TONY STEIGVILAS (1071 KING ST. WEST Kathleen Sherwini851 1075 KING ST WEST BARBARA CICEROL85117 (1070 King St. West Calogoro A. Cicero (1070 King St. West Theima Genkins 185 1019 King St West W. H. SENKINS'L8 1079 KINGST WEST D.B. Hills L85 127 (1086 " " B. FRANASZEK (10 FZ -10-11-MARZENA MAKUTA LAS 1 CLOBE KING STW CG INRIG(8) Von4 King Stw CTI. INRIG 1074 King StW. Min Insta 1074 Kinger King W Anne Albrecht (85 (1081 Frida Thieroff CHTHERINE FORSTER'S 1103 KING W KATE SOMERVILLERS (TIIS KING WEST ROGER W. ELLIOTTICS 1115 KING WEST SAMANITA COLUECCESTEP (121 King WEST LILY BORK LOS ILO 1127 KING STWEST E. MIKELBRENEINSKITTIOG Kingst West A. p. 11. El BREVEIS. 1000 King st nest L85 167 /102 K. 195 a: care ALBERTL85 128 dal

Hearler Steigirlas Buthony Steigniles Kathleen Sheriver Barbara Eccess Reline Mouseux Maluste illogerun Shriti anne albredy Thierey Catherine Torster Kate Somerville Towarts of well Minellaneis E. convellezero Karvarel Waldslem

September 24, 1987

We, the undersigned are firmly opposed to the re-zoning of 1067 King Street West, Hamilton from residential to commercial.

We feel that re-zoning would establish an undesirable precedent in the area of our homes, and that it is unnecessary in that Westdale already has sufficient commercial locations.

JOSEPH BROSEK LSS 12 1088 KING ST. W. Jahren Level LAURENCE HURD LSS 129 (1094 KING ST. W. Magaret Brosek LAURENCE HURD LSS 128 (1097 KING ST. W. LAURENCE HURD LSS 128 (1097 KING ST. W. LAURENCE HURD LSS 128 (1097 KING ST. W. LAURENCE HURD LSS 129 (1012 KING ST. W. Lynn Jahren Lund LUNd SEREND AS 127 (1078 KING ST. W. Lynn Jahren Lund LUNd SEREND AS 127 (1078 KING ST. W. Jahren Lourd Lund Janna Walker LSS 127 (1078 KING ST. W. Jahren LSS 127 (1078 KING ST. W. Jahren LSS 127 (1078 KING ST. W. Jahren LSS 127 (1048 KING ST. W. Jahren McKeler F. McKay LSS 128 1077 KING ST. W. Jahren McKeler JULL 1700 LSS 128 1077 KING ST. W. Jahren McKeler JULL 1700 LSS 127 (104 KING ST. W. Jahren McKeler JULL 1700 LSS 127 (104 KING ST. W. Jahren Hord.

Copies to: Perry Cooke Planning Dept.

ACTION

FROM: Planning and Development Department DATE: November 25, 1987

Planning and Development Committee Refer to File No. ZA-87-113 TO: AINSLIE WOOD

EAST NEIGHBOURHOOD

SUBJECT

Request for a further modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations for the property located at No. 1053 Main Street West. The purpose of the proposed modification is to allow the existing commercial school (Johnson's Business Academy) to continue its operation within the building.

RECOMMENDATION

That approval be given to Zoning Application 87-113, Conire Enterprises Ltd. (E. R. Madronich), owner, requesting a further modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations to permit the existing commercial school (Johnson's Business Academy) to continue operating within the building, for the property located at No. 1053 Main Street West, as shown on the attached map marked as APPENDIX "A", on the following basis:

- That the "HH" (Restricted Community Shopping and Commercial, etc.) i) District regulations as contained in Section 14A of Zoning By-law No. 6593, as amended by By-Law No. 84-234, applicable to the subject lands, be further modified to include the following variance as a special requirement:
 - a) That the following additional commercial use shall be added to Section 2(a)(i) of By-law No. 84-234;
 - 1) 4. Commercial School
- That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-886a, and that the subject lands on Zoning District Maps W-33 and W-34 be notated S-886a;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-33 and W-34;
- That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The purpose of this By-law is to provide for a further modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District for the property located at No. 1053 Main Street West, as shown on the attached map marked as APPENDIX "A".

The effect of the By-law is to permit the existing commercial school (Johnson's Business Academy) to continue operating within the building.

V. J. Abraham, M.C.I.P. Director of Local Planning

Mahane

J. D./Thoms, M.C.I.P.

Commissioner

Planning and Development Department

Existing Zoning

APPLICANT

Conire Enterprises Ltd. (E. R. Madronich).

LOT SIZE AND AREA

The lot is irregular in shape with 79.52 m (260.89 ft.) of lot frontage and 0.68 ha (1.69 ac.) of lot area.

Existing Land Use

LAND USE AND ZONING

Subject Lands	medical centre, commercial shool Ontario Hydro Power Station	"HH" (Restricted Community Shopping) and Commercial, etc.) District
Surrounding Lands		
To the north	Single family dwellings, gas station	"C" (Urban Protected Residential, etc.) District
To the south	Highway #403 access ramp	"C" (Urban Protected Residential, etc.) District
To the east	Schoo1	"C" (Urban Protected Residential, etc.) District
To the west	Offices and single family dwellings	"C" (Urban Protected Residential, etc.) District
		"G" (Neighbourhood Shopping) District

OFFICIAL PLAN

The subject lands are designated "Commercial" on Schedule "A". The proposal complies.

NEIGHBOURHOOD PLAN

There is no approved Plan for the Ainslie Wood East Neighbourhood.

BACKGROUND

By-Law 84-55

In 1984, the applicant applied to rezone the lands to permit a restaurant, business offices and a medical center within the existing building. The application was subject to an O.M.B. hearing. The O.M.B. decision allowed the use of the lands for the three uses specified above.

COMMENTS RECEIVED

- o The Building Department has advised that no variance is required.
- o The Traffic Department has advised that:
 - "The request for a modification to the present zoning to permit the use as a commercial school is satisfactory subject to the provision of parking in accordance with the Zoning By-law 6593."
- The Hamilton Region Conservation Authority and Hamilton-Wentworth Engineering Department have no comments or objections.

COMMENTS

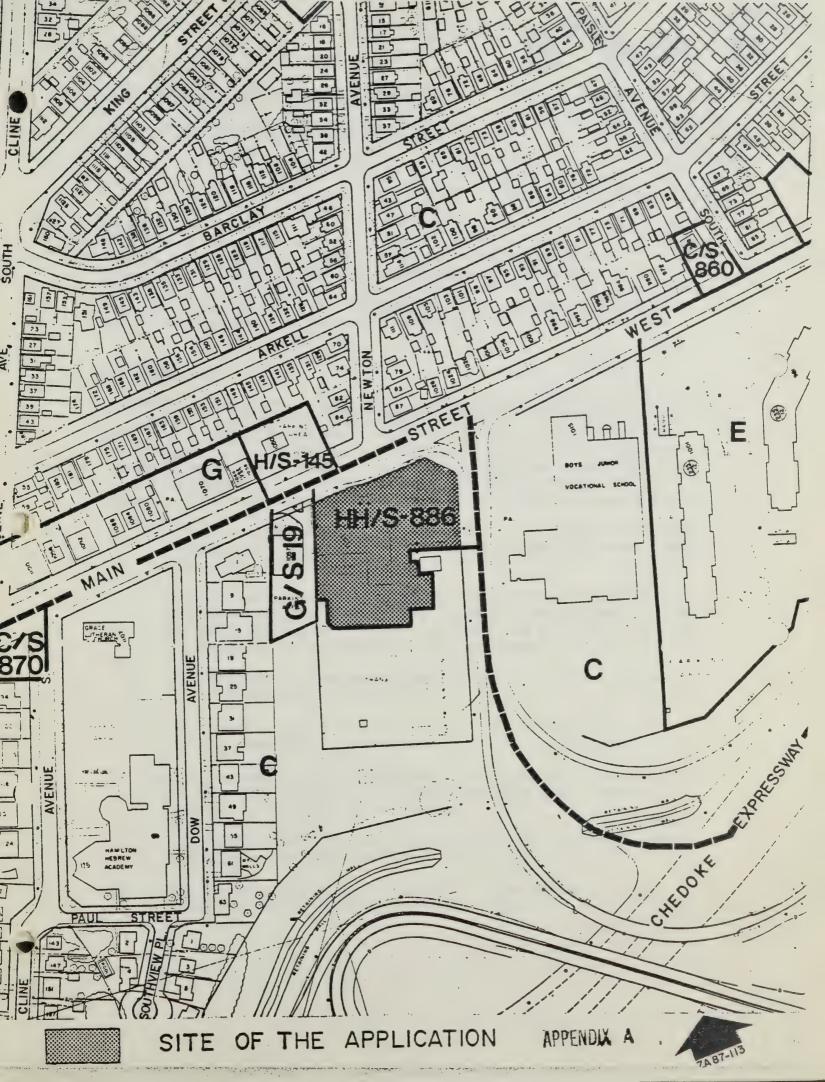
- 1) The proposal complies with the Official Plan.
- 2) There is no approved plan for the Ainslie Wood East Neighbourhood.
- 3) The proposal can be supported for the following reasons:
 - a) A "commercial school" is normally a permitted use within the "HH" District. Therefore, it is no less feasible to allow it as a permitted use on this site.
 - b) It is compatible with the surrounding lands uses, including commercial to the north and west.
 - c) It is located on a major arterial road. (Main Street West).

CONCLUSION

Based on the foregoing, the proposal may be supported.

JH/dkp

WP 0021P





FOR ACTION

316 p.m. F.

FROM Planning and Development Department

DATE November 26, 1987

TO Planning and Development Committee

Refer To File No. ZA-87-116
RIVERDALE EAST
NEIGHBOURHOOD

Attention Of V. J. Abraham

SUBJECT

Request for a change in zoning from "L-c" (Planned Development - Commercial) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for the properties located at Nos. 2794, 2796 and 2800 Barton Street East. The purpose of the proposed rezoning is to permit the development of the subject lands for a Harvey's restaurant.

RECOMMENDATION

That approval be given to Zoning Application 87-116, 690372 Ontario Ltd. (C. Tubic), owner and prospective owner, requesting a change in zoning from "L-c" (Planned Development - Commercial) District to "HH" (Restricted Community Shopping and Commercial, etc.) District to permit the development of the subject lands for a Harvey's restaurant, for the properties located at Nos. 2794, 2796 and 2800 Barton Street East, as shown on the attached map marked as APPENDIX "A", on the following basis:

- That the subject lands be rezoned from "L-c" (Planned Development Commercial) District to "HH" (Restricted Community Shopping and Commercial, etc.) District.
- That the "HH" (Restricted Community Shopping and Commercial, etc.)
 District regulations as contained in Section 14A of Zoning By-Law
 No. 6593, applicable to the subject lands, be modified to include
 the following variance as a special requirement.
 - a) That notwithstanding Section 14A(3)(b), a minimum side yard of 3.9 m shall be permitted.
- iii) That notwithstanding Section 18.(A)(iv) an accessory structure shall be permitted in a side yard.
- iv) That the amending By-law be added to Sectiton 19B of Zoning By-law No. 6593 as Schedule S- , and that the subject lands on Zoning District Map E-123 be notated S- ;
- v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-123;
- vi) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The purpose of this By-law is to provide for a change in zoning from "L-c" (Planned Development - Commercial) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for the properties located at Nos. 2794, 2796 and 2800 Barton Street East.

The effect of the By-law is to permit the development of the subject lands for a Harvey's Restaurant.

In addition, the By-law provides for the following variances:

- o to permit a 3.9 m side yard instead of the legally required 6.0 m (Section 14A(3)(b)).
- o to permit an accessory structure in a side yard instead of the legally permitted rear yard location (Section 18.(A)(iv)).

V. J. Abraham, M.C.I.P.
Director of Local Planning

-aham

J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development

APPLICANT

690372 Ontario Ltd., (C. Tubic), owner and prospective owner.

LOT SIZE AND AREA

The lot is irregular in shape having a frontage of 63.21 m (267.38 ft.) and a total area of 1,640.24 m^2 (17,655.97 sq. ft.).

LAND USE AND ZONING

Existing Land Use

Existing Zoning

SUBJECT LANDS

Vacant building

"L-c" (Planned Development - Commercial) District

SURROUNDING LANDS

"JJ" (Restricted Light Industry storage and To the north Industrial) District warehousing "L-pn" (Planned Development Hydro corridor, To the south - Public and Institutional) townhouses District "DE" (Low Density Multiple Dwellings) District "HH" (Restricted Community Gas station, commercial To the east Shopping and Commercial, etc.) District "L-pn" (Planned Development Hydo corridor, vacant To the west - Public and Institutional) District "E-2" (Multiple Dwellings) District

OFFICIAL PLAN

The subject lands are designated "Commercial" on Schedule "A". The proposal complies.

NEIGHBOURHOOD PLAN

The subject lands are designated "Commercial" in the Riverdale East Neighbourhood Plan. The proposal complies.

COMMENTS RECEIVED

- o The <u>Building Department and Hamilton Region Conservation Authority</u> have no comments or objections.
- o The Hamilton Wentworth Engineering Department has advised that:

"Access details are to be determined by the City of Hamilton Traffic Department. We advise that future widening and reconstruction of Barton Street may include the provision for raised concrete median islands which may restrict access to the subject lands.

Furthermore, any roadway improvements required on Barton Street as a result of the development may be at the expense of the applicant/owner. At such time as detailed site plans are submitted through the site plan control process, we will review the plans to determine whether roadway improvements are required.

To minimize traffic congestion at the entrance of the site, parking spaces may be prohibited near the entrance. The actual number of parking spaces to be reduced as well as further details will be addressed at the site plan stage. We recommend that these lands be developed through Site Plan Control." (see attached letter for full comments)

o The Traffic Department has advised that:

"The application to permit commercial development of the subject lands is satisfactory.

Our review of the preliminary site plan raises a number of concerns regarding the access, maneuvering and parking layout. We would be pleased to meet with the applicant to discuss design alternatives and suggest the applicant contact Mr. Bill Ferguson of our Department at 526-4575 prior to submission of the site plan."

COMMENTS

- 1. The proposal complies with both the Official Plan and the Approved Riverdale East Neighbourhood Plan.
- 2. The proposal can be supported for the following reasons:
 - a) it is compatible with the surrounding development which includes commercial to the east;
 - b) it is located on a major arterial road.
 - c) it implements both the Official Plan and Neighbourhood Plan.
 - d) the change in zoning is in accordance with the zoning districts permitted under the "L-c" designation.
- 3. Approval of the application would require the following variances:
 - a) Section 14A(3) "HH" District

Under the "HH" District regulations, where an access road is provided, it shall have a width of at least 6.0 m. The Traffic Department has indicated that the access road (in this case a drive-thru for the restaurant) can be accommodated if the width is 3.9 m. Based on the above, the variance can be supported.

b) <u>Section 18 - Supplementary Requirements</u>

An accessory structure (garbage enclosure) is proposed to be located in the side yard whereas the By-law requires that it be located in the rear yard. Due to the site's limitations (triangular shaped lot), the accessory structure is more suitably located in the side yard. The variance is minor in nature and therefore, may be supported.

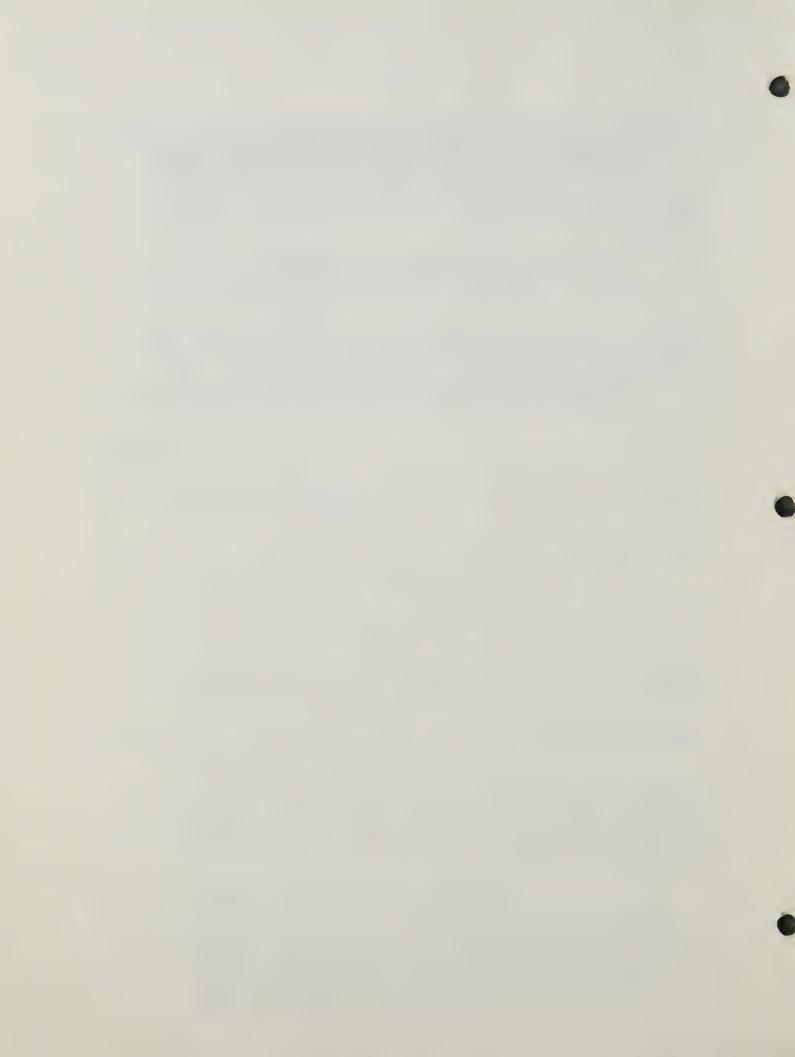
4. Under the "HH" District regulations the lands are subject to Site Plan Control By-Law 79-275. Matters such as parking access, landscaping, etc. will be reviewed during the site plan approval process.

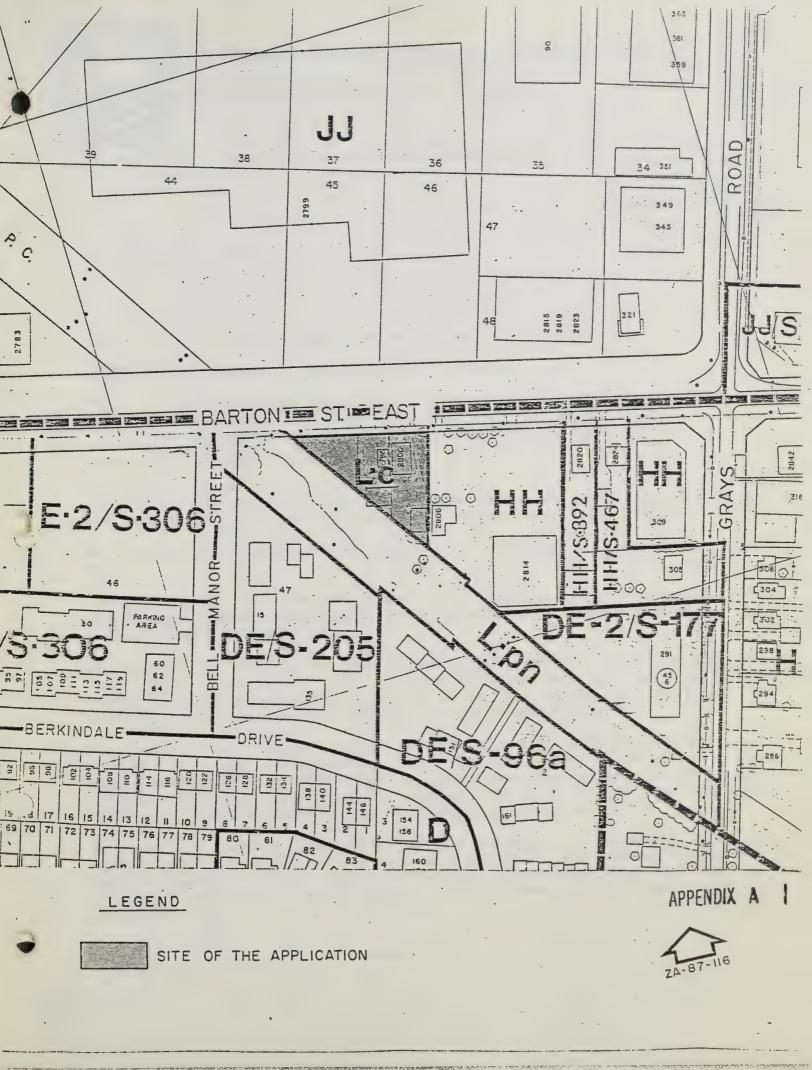
CONCLUSION

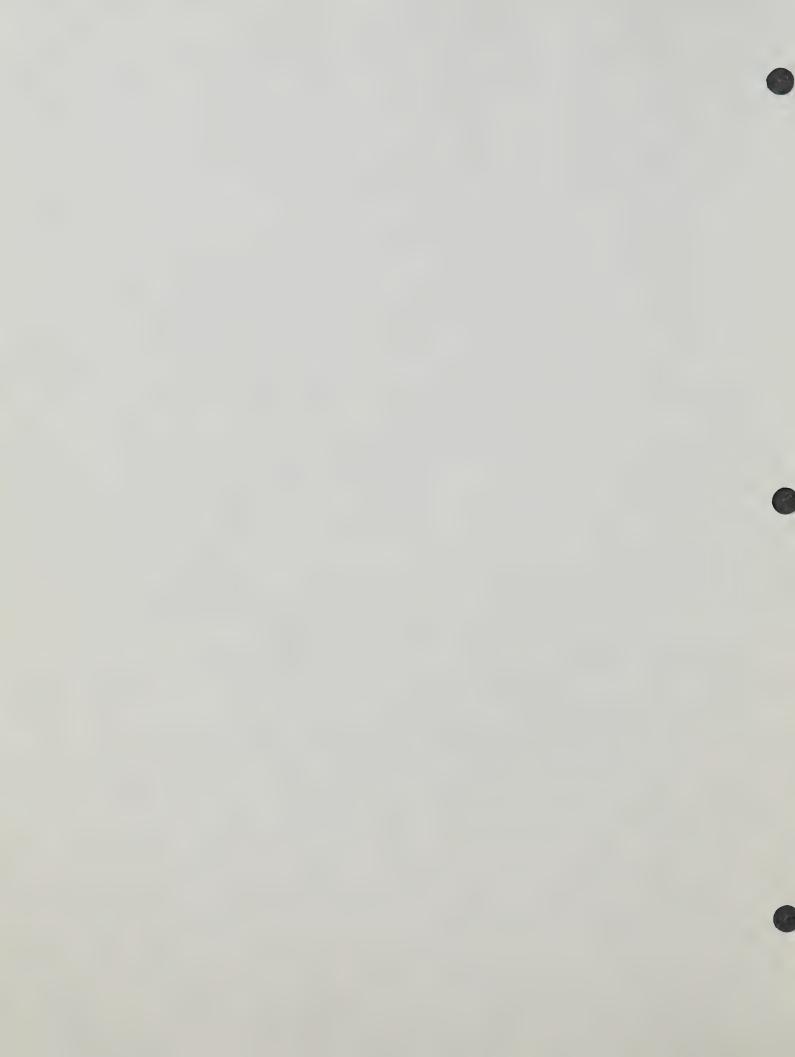
Based on the foregoing, the proposal can be supported.

J.H.:nd

W.P. DOC. 0060P









THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Department of Engineering
71 Main Street West, Hamilton, Ont. L8N 3T4 (416) 526-4170

I.D. #0134D(51)

Attention of Your File No. E220-1803

T. L. Hearns
ZA-87-116

November 20, 1987

TO: V. J. Abraham, Planning Department

FROM: K. A. Brenner, Engineering Department

RE: Zoning Application ZA-87-116 by 690372 ONTARIO INC.

for a Change in Zoning from "LC" to "HH" Regulations for Properties Located at 2794 and 2796 to 2800 Barton

Street East

Please be advised that public watermains as well as separate storm and sanitary sewers are available to service the subject lands.

We do not anticipate any further road allowance widenings at this time.

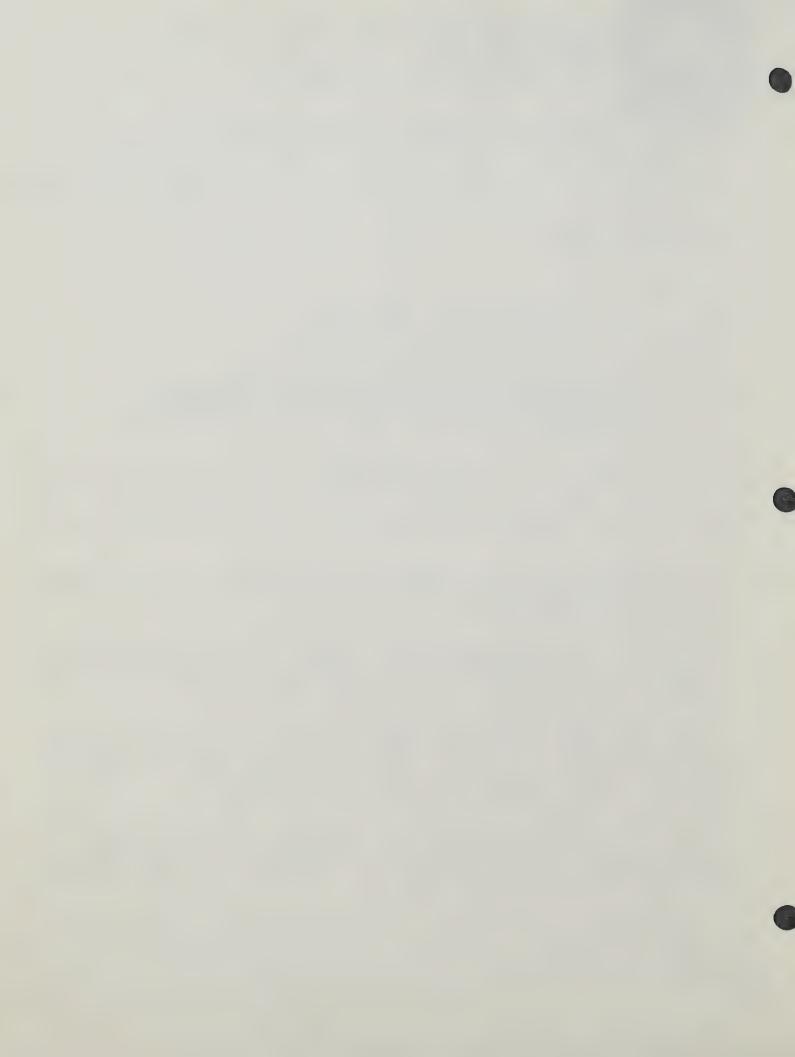
In the absence of detailed plans, we recommend that any work within the Barton Street road allowance, as widened, must conform to the Region's Roads Use By-Law.

Access details are to be determined by the City of Hamilton Traffic Department. We advise that future widening and reconstruction of Barton Street may include the provision for raised concrete median islands which may restrict access to the subject lands.

Furthermore, any roadway improvements required on Barton Street as a result of the development may be at the expense of the applicant/owner. At such time as detailed site plans are submitted through the site plan control process, we will review the plans to determine whether roadway improvements are required.

To minimize traffic congestion at the entrance of the site, parking spaces may be prohibited near the entrance. The actual number of parking spaces to be reduced as well as further details will be addressed at the site plan stage. We recommend that these lands be developed through Site Plan Control.

HA. Bre



FOR ACTION

330 p.m

FROM: Planning and Development Department

DATE: October 21, 1987

REFER TO FILE NO: ZA-87-80

T0:

Planning and Development Committee

Attention of: V. J. Abraham

SUBJECT

Application to the City of Hamilton for approval of a rezoning, File No. ZA-87-80, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc) District and "E-2" (Multiple Dwellings) District.

RECOMMENDATIONS

- 1. That Zoning Application 87-80, 428680 Ontario Ltd. (Herbert Schreiber), owner, requesting changes in zoning for the property located on the north side of Rymal Road East between Upper Wellington Street and Upper Wentworth Street, as shown on the attached map marked as APPENDIX "A", be denied as submitted for the following reasons:
 - a) the proposed townhouse block (Block "2") in the interior of the neighbourhood is not compatible with the existing and proposed single-family dwellings. In addition, Block "2" is designated for "single and double" housing in the approved Barnstown Neighbourhood Plan.
 - b) The proposed "E-2" (Multiple Dwellings) District (Block "3") is an inappropriate zoning district since the developer intends to construct townhouses. A more appropriate zoning district is "RT-10" (Townhouse) District.
- That approval be given to an amended Zoning Application 87-80, 428680 Ontario Ltd. (Herbert Schreiber), owner, requesting changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District and "RT-10" (Townhouse) District, to permit the development of the subject lands for single-family dwellings and townhouses, for the property located on the north side of Rymal Road East, between Upper Wellington Street and Upper Wentworth Street, as shown on the attached map marked as APPENDIX "A", on the following basis:
 - i) That the lands shown as Blocks "1" and "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

- ii) That the lands shown as Block "3" be rezoned from "AA" (Agricultural) District to "RT-10" (Townhouse) District.
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18D;
 - iv) That the approved Barnstown Neighbourhood Plan be amended by redesignating Block "3" from "Residential--Single and Double" to "Residential--Attached Housing".
 - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 3. That the Planning and Development Department be requested to initiate a separate zoning amendment to rezone a remnant parcel of land from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to create uniform zoning across the rear of the lands fronting on Upper Wellington Street between Rymal Road East and Stone Church Road East, as shown on the attached map marked as APPENDIX "B".

EXPLANATORY NOTE

The purpose of the By-law is to provide for changes in zoning for the property located on the north side of Rymal Road East between Upper Wellington Street and Upper Wentworth Street, on the following basis:

Blocks "l" and "2" - Change in zoning from "AA"
(Agricultural) District to "C" (Urban
Protected Residential, etc.) District;
and,

Block "3" - Change in zoning from "AA"

(Agricultural) District to "RT-10"

(Townhouse) District.

The effect of the By-law is to permit the development of the subject lands for single-family dwellings (Blocks "l" and "2") and townhouses (Block "3").

V. J. Abraham, M.C.I.P. Director of Local Planning

Maham

J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development

BACKGROUND

0wner

428680 Ontario Limited (c/o Herbert Schreiber), Hamilton, Ontario.

Agent

Urbex Management Limited (c/o Angelo Cameracci), Hamilton, Ontario.

Location

The lands, comprising 29.0 ha, are located on the north side of Rymal Road East between Upper Wellington Street and Upper Wentworth Street in the Barnstown Neighbourhood, being parts of Lots 11 and 12, Concession 8, Township of Barton, now in the City of Hamilton.

LAND USE AND ZONING

	Existing Land Use	Existing Zoning
To the north	Vacant and developing lands under proposed and registered plans of subdivision	"C" (Urban Protected Residential, etc.) District, "AA" (Agricultural) District and "G-1" (Designed Shopping Centre) District
To the south	Several single-family dwellings scattered along the north side of Rymal Road	"AA" (Agricultural) District and "B" (Suburban Agriculture and Residential, etc.) District
To the east	Across Upper Wentworth Street vacant lands in the Butler Neighbourhood and according to the neighbourhood zoning map, a cattle feed operation at the north-east corner of Rymal Road East and Upper Wentworth Street	"AA" (Agricultural) District
To the west	Single-family dwellings fronting onto Upper Wellington Street	"C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District

PROPOSAL

The owner proposes to rezone the lands to facilitate development of a plan of subdivision "Oakdale Estates" for single-family and townhouse dwellings and a municipal park.

EXISTING DEVELOPMENT CONTROLS

Hamilton-Wentworth Official Plan - the lands are identified as "Residential and Related Uses" within the "Urban Policy Areas". The proposal complies.

City of Hamilton Official Plan - the lands are designated "Residential" and "Open Space". The proposal complies.

Neighbourhood Plan - the lands are designated "Residential--Single and Double", "Civic and Institutional" and "Park and Recreation". The proposal does not comply in terms of:

- i) deletion of area designated "Civic and Institutional;
- ii) addition of "Residential--Attached Housing" blocks; and
- iii) general re-alignment of the street pattern and deletion of the second access into the neighbourhood from Rymal Road.

Niagara Escarpment - the lands are not within the "Development Control Area", therefore, the regulations do not apply.

COMMENTS FROM CIRCULATION

The following have advised that they have no comments or objections:

Hamilton-Wentworth Department of Engineering; Building Department; Hamilton Region Conservation Authority; Traffic Department (see attached letter).

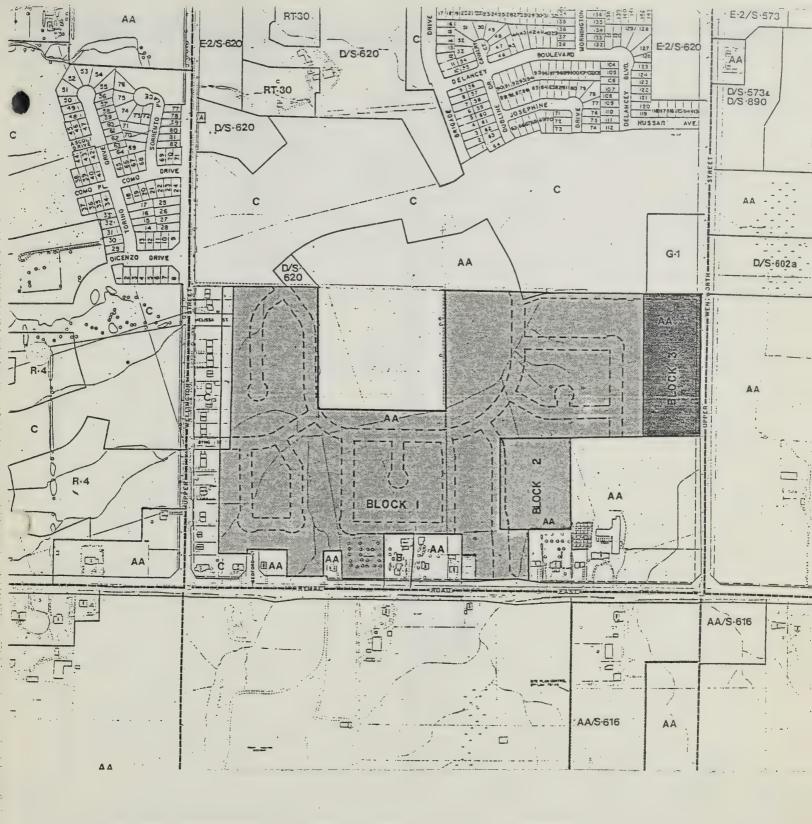
COMMENTS

1. The proposed zoning for a townhouse block (Block "2" on Appendix "A") located adjacent to the proposed north/south neighbourhood access street cannot be supported, in that it is in the interior of the neighbourhood and would not be compatible with the existing and proposed single-family dwellings.

- 2. The zoning for Block "3" shown on APPENDIX "A" should be "RT-10" (Townhouse) District rather than "E-2" (Multiple Dwelling) District as the applicant has indicated an intent to develop townhouses on this area of the subject lands.
- 3. An amendment to the neighbourhood plan will be required for Block "3" as the plan presently designates this area for "Residential--Single and Double".
- 4. It should be noted, in connection with APPENDIX "B" attached, that the rear of some of the lots fronting onto Upper Wellington Street are zoned "AA" (Agricultural) District. Therefore, it is recommended that the City initiate a separate zoning amendment to rezone this remnant parcel of land to "C" (Urban Protected Residential, etc.) District. This will allow for uniform zoning across the lands.

JH:CS Attach.





LEGEND

LANDS FOR WHICH THE FOLLOWING CHANGE IN ZONING IS PROPOSED:



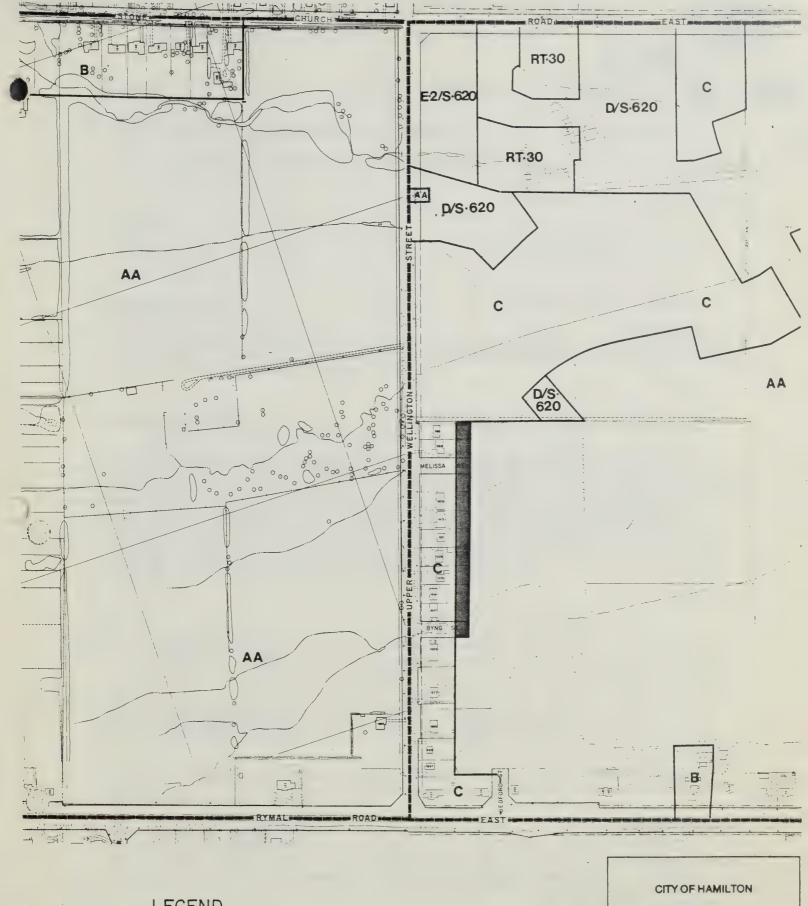
FROM "AA" (AGRICULTURAL) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC) DISTRICT.



FROM "AA" (AGRICULTURAL) DISTRICT TO "RT-10" (TOWNHOUSES) DISTRICT.



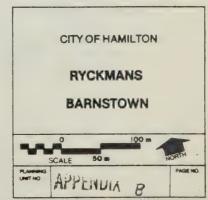




LEGEND



Lands to be rezoned under City Initiative





THE CORPORATION OF THE CITY OF HAMILTON

in the

ADMINE!

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

1987 August 20

Mr. V.J. Abraham, M.C.I.P. Director of Local Planning Planning and Development Dept.

Attention: Mr. J.J. Zipay

RE: ZA-87-80

300 to 344 Rymal Road East

Dear Sir:

In response to your letter of 1987 July 22, please be advised that we have reviewed the above-noted application and have the following comments.

The proposed rezoning appears to conflict with the approved neighbourhood plan in two specific instances, both relating to the provision of multiple dwelling areas. The approved neighbourhood plan provided for a large block of attached housing/medium density apartment development in the north west corner of Rymal Road East and Upper Wentworth Street. If this application were to be approved this block will essentially extend from the Rymal Road East/Upper Wentworth intersection, north and west to the mid-block collector roadways. We would suggest that this may be an over-concentration of this type of development in this area.

From a more strictly traffic point of view, the proposed E-2 zoning located adjacent to the southern mid-block collector is the most inappropriate in that single family homes will be used to shield the townhouse sites from the arterial roadway. This will locate a higher traffic generator within the neighbourhood forcing this traffic past single family homes. This appears to be in direct conflict with current neighbourhood planning philosophy which locates higher density development at the outside edges of the neighbourhood unit.

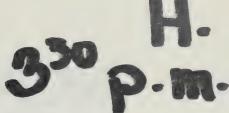
We would suggest that either this part of the proposal be denied or that the use be shifted to the south, adjacent to Rymal Road.

Yours truly,

Director of Traffic Services

RK/lh

FOR ACTION



FROM: Planning and Development Department DATE: December 3, 1987

TO: Planning and Development Committee File No.: P5-2-41

Attention Of: V. J. Abraham

SUBJECT

Durand Neighbourhood Plan -- 1987 Update.

RECOMMENDATION

That the proposed Durand Neighbourhood Plan -- 1987 Update, which represents a major update of the original neighbourhood plan prepared in 1973, be approved by the Planning and Development Committee.

EXPLANATORY NOTE

The Durand Neighbourhood Plan has been reviewed and updated to provide a comprehensive and current policy framework to guide development in Durand. The original neighbourhood plan, which was approved in 1973, required updating and modification to reflect recent trends such as redevelopment pressures in the area, and emphasis on issues such as urban design and heritage preservation. The revised plan includes greater detail, to provide a basis for the evaluation of development proposals and to guide future actions and studies to address current issues in the neighbourhood.

V. J. Abraham, M.C.I.P. Director of Local Planning

J. D. Thoms, M.C.I.P.

Commissioner

Planning and Development Department

BACKGROUND

The original Durand Neighbourhood Plan was adopted by City Council on December 18, 1973. It consisted of a land use plan and a brief set of policies, dealing with such issues as the preservation of low-density residential areas, creation of park space, reduction of traffic congestion, etc.

The Durand Plan became a model for other neighbourhood plans which were prepared subsequently. Since the time of its adoption, however, there have been a number of changes in planning issues and policies, which have resulted in the need for a major update of the Plan.

Issues which have become important in the recent past include heritage preservation, urban design, and the retention of Escarpment views. Redevelopment pressures have become strong in this area, especially for commercial, office and mixed use developments. Citizens of Durand, actively involved in planning issues by such means as their Neighbourhood Association, have requested that the Durand plan be updated to reflect recent changes.

New policy directions include the Central Area Plan, approved originally in 1981 and currently being updated, which provides a framework for planning policy for the entire Central area, incuding Durand. Neighbourhood plans in general have become increasingly detailed, to address more issues, in more specific terms. It was felt that a more comprehensive neighbourhood plan was required for Durand.

PLAN PREPARATION

A Background Information Report for Durand was prepared in 1985, as a first step in the process of updating the Neighbourhood Plan. This enabled the collection and assessment of information on land use, existing demographics, municipal services, existing policies. Surveys were also conducted to determine the issues important to residents and commercial property owners.

The Durand Neighbourhood Plan Advisory Committee was established in September, 1985, to enable input from residents and business people. This group met with municipal staff twelve times up until September, 1986, to collect information, discuss issues and develop recommendations for policy. A first draft of the Plan was prepared by November, 1986. This draft plan was modified based on further review by the Advisory Committee and on comments received from the review by municipal departments and agencies early in 1987. A public meeting was held in June of 1987, which provided further opportunity for comments and review, and assisted in the preparation of the final plan.

NEIGHBOURHOOD PLAN OBJECTIVES

The Durand Neighbourhood Plan is based on the following objectives, within the framework of the City of Hamilton Official Plan and the Central Area Plan:

- preservation and enhancement of existing residential character;
- introduction of new development in a manner compatible with existing development and the land use concept;
- evaluation of new commercial development proposals based on criteria to help ensure appropriate design;

- suggestions for analysis of the traffic system to identify ways of minimizing the impacts of through traffic on predominately residential areas;
- consideration of heritage preservation, urban design, and pedestrianoriented design features.

The policy document for the proposed Durand Neighbourhood Plan is attached (under separate cover). There are two amendments to neighbourhood plan designations, and two zoning by-law amendments required to implement the revised plan, as well as the adoption of the new policy document. The zoning amendments will be presented for adoption at a later date, to enable notification of affected residents.

COMMENTS FROM DEPARTMENTAL CIRCULATION

The draft plan was circulated to relevant municipal departments and agencies for comments in March and April of 1987. The following is a summary of the comments received, and the manner in which they were used to refine and clarify the draft policies.

Copies of the corresponding letters are held on file.

1. Regional Engineering Department

stated that the existing sewer and water systems, which have been designed to accommodate the development in the original 1973 neighbourhood plan, should be adequate to accommodate the minor land use modifications in the proposed plan.

The draft Durand plan suggested that the separation of all storm and sanitry sewers in Durand should be given high priority. The Engineering Department feels that this is only one of several possible approaches for improving the sewer system, and not necessarily the most effective one.

The final draft was modified to reflect a more general approach to sewer system improvements.

2. Department of Transportation

provided clarification concerning the various municipal departments, which are responsible for roadway maintenance, tree maintenance, and other functions referred to in the Plan. They offered comments concerning the policies on pedestrian-priority streets (Woonerfs), bus waiting areas, signs for parking areas, alley improvements, and the underground placement of utilities.

These comments were largely incorporated into the final plan.

3. City of Hamilton Traffic Department

provided extensive comments on the first and second draft of the plan, which were of great assistance in ensuring its accuracy and consistancy. They commented on the existing practices and procedures related to traffic management, and the need for various actions and studies recommended in the Plan. The majority of these comments have been incorporated.

The Traffic Department has indicated that acceptance of the Plan, due to the various traffic studies involved, would necessitate the addition of one additional professional staff member. This would enable completion of the comprehensive traffic study which is proposed for Durand.

In regards to a number of issues, Traffic Department staff felt that the draft Plan contained possible actions and policies which were too specific in nature or which were unnecessary. The Planning Department has retained these items in the final plan, as it is felt by Planning Staff, as well as by residents, that these may be apppropriate methods for resolving important concerns, such as the redirection of through traffic away from residential areas. These items, which are possible suggested approaches to be studied further, include the following:

Road Hierarchy

The Traffic Department has requested the deletion of a suggested road hierarchy. The Plan contains policies and actions which are meant to encourage through traffic to use major arterial roads, rather than local residential streets. This includes a list of streets, and a corresponding map, which shows varying degrees to which through traffic will be encouraged.

This suggested road hierarchy has been retained in the final draft, to provide guidance for any changes to the traffic control measures recommended by the proposed traffic study.

Turning Prohibitions Proposals

The Plan includes three specific proposals for possible turning movement restrictions, to reduce through traffic entering the neighbourhood during peak hours. The Traffic Department feels that these proposals are too specific, and that it would be more appropriate to leave such proposals to the suggested traffic study.

These suggestions have been retained, as possible actions to be considered.

Road Closures for Parkettes

This concept has been included in the Plan as a possible approach for providing additional open space, as well as for redirecting through traffic away from residential streets. Two specific intersections have been identified as possible locations. The Traffic Department has expressed strong reservations about the feasibility of the such road closures, about the usefulness of the open space areas which would be created, and the impacts of the redirected traffic on adjacent streets.

These road closures have been included in the final plan as possible approaches to be further studied.

Review of Parking Regulations

Several different approaches to on-street parking regulations were included in the draft Plan as possible methods for increasing the parking supply or making it more equitable. The Traffic Department feels its existing regulations and procedures for modifying these are adequate.

Other parking studies are suggested for further consideration, dealing with front lawn conversions for parking and study of innovative off-street parking arrangements, although Traffic Department staff feel these issues are adequately addressed by present procedures.

Alley Beautification Study

The proposals for alley system improvements to create open space areas and pedestrian links, require further study to resolve concerns raised by the Traffic Department, to ensure that these can be implemented. These concerns are related to such issues as the safety of mid-block pedestrian crossings of roadways.

4. Department of Culture and Recreation

requested further background information and clarification concerning the issues of safety in Durand Park and creation of new park space by means of the acquisition of residential properties. They suggested several changes to the draft policies, including items to be clarified and the addition of the mention of existing facilities.

The requested background information is being compiled, and the draft policies have been revised as requested.

5. Public Works Department, Parks Division

reviewed the draft plan and had no comments other than the request that any specific proposals for parks projects be individually itemized to enable their evaluation and implementation.

Individual proposals have been itemized by means of the prioritized list of studies arising, which is contained in APPENDIX "C" of the plan.

6. The Board of Education for the City of Hamilton

commented on the references to Central Public School in the draft policies, such as the suggested addition of a community centre. They noted that such improvements would not be anticipated within the immediate future. They also noted that the second floor of the school is leased to a commercial tenant until the mid-1990's.

No charges were required to the proposed Durand Neighbourhood Plan as a result of these comments.

7. The Hamilton-Wentworth Separate School Board

had no objections to the proposed draft policies. There are no separate schools located within the Durand Neighbourhood, so students are bussed to separate schools in the surrounding areas.

8. Ministry of Citizenship and Culture

had no comments.

COMMENTS FROM PUBLIC MEETING AND SUBMISSION

Comments and reaction to the Plan from the citizens of Durand were obtained by means of a public meeting and associated submissions.

A public meeting was held on June 15, 1987 at City Hall to discuss the contents of the draft Durand Neighbourhood Plan. Approximately 150 residents of the neighbourhood were present to hear about the proposed plan and offer their comments. The Durand Alley Beautification Study was also presented at this meeting.

Comments were provided by a large number of citizens at the public meeting (namely 20). There were also a number of comments provided by means of telephone inquiries (13) and letters to the Planning Department (6). Public submissions received as letters are held on file. The following is a summary of the various public comments and submissions, grouped by topic.

Alley Beautification Plan

Several residents provided comments on proposed alley improvements, as follows:

- Peter Hill, 312 Bay Street South, President of the Durand Neighbourhood Association supported the alley study. He noted that it included recommendations for removing underbrush in the alleys, providing adequate lighting and attractive open space for pedestrians and bicyclists. The intent is to consider the opinions of adjacent property owners in finalizing the study recommendations.
- Robert Kreismanis, 148 Duke Street feels that affected property owners should have the first say in the case of alley beautification improvements.
- Bill McCracken, 64 Charlton Street West said that alleys such as the one behind his building carry much vehicular traffic, and that traffic needs must be addressed in any proposed alley closures.

- The owner of the apartment buildings at Markland and Hess Streets feels that existing parking spaces in alleys must be maintained, as well as adequate drainage, by means of appropriate grades.
- Patricia Gilbert, 281 Bay Street South feels that existing plants in the alleys should be retained, where these add to the attractiveness of the area, including wild and introduced plants.
- Mrs. J. Isbestor, 316 James Street South said that the opinions of adjacent residents should be considered in developing any plans to improve alleys.
- Mrs. Delores Marks
 does not support the idea of increased pedestrian use of alleys, due
 to possible safety problems such as assaults.
- Carlo Demetris, 136 Bold Street was strongly opposed to the proposed Durand alley system, since he felt residents using the alleys would be vulnerable to muggers and other such dangers.
- R.B. Chown, 15 Stanley Avenue wants to maintain the right to access his properties by means of rear alley. He does not wish to have his property taxes increase, to provide funds for the purchase of alleys by the City. He feels that the only improvements needed to alleys are cleaning of litter and refuse, sanding and snow removal in winter, and the cleanup of mud by contractors in construction areas.
- Carl and Brigita Dimitriou, Merle Nelson,
 130, 132 and 136 Bold Street
 are opposed to the beautification of alleys for public use, due to
 concerns about vandalism, loitering, safety of elderly people, and
 privacy. They would prefer to keep their alley section closed.
- Mr. Roger Ingels, 25 Chilton Place and Mr. Sobel, 27 Chilton Place are opposed to the proposed improvements to their private alley. They would object to loss of privacy by non-residents using the alley, and to its use for off-street parking. They would prefer to carry on their own initiatives to beautify the alley, including the installation of gas lights, flower plantings and the addition of crushed stone, at their own expense.

Planning Department Response to Submissions re Alley Beautification Study

The Durand Alley Beautification Study proposed improvements to various alleys in Durand including redesign, landscaping and special pavement treatments. The purpose is to provide a pedestrian system linking the neighbourhood to the downtown, as well as open space areas and parking. The alley plan was presented to Durand residents at the June 15, 1987 public meeting, and has been circulated to municipal staff.

The Durand Plan recommends that the alley study be further reviewed and refined to clarify safety concerns, to determine the priorities for implementation of various sections, the appropriate funding methods (i.e. possibly local improvements) and opinions of all adjacent residents. Property owners and the general public will be given further opportunity to comment on these more detailed proposals by means of surveys and/or public meetings. The intent is to maintain existing rear parking spaces and access requirements. Consideration could be given to the retention of existing plants in some areas.

Other departments, such as Community Development and Transportation, will assist in clarifying implementation details such as funding approaches.

High Density Residential and Rezonings

A number of residents made submissions concerning the existing and potential future apartment buildings, and the issue of downzoning lands designated for apartments

- Mr. Audrius Stonkus, legal advisor for the owner of the 23-unit low-rise apartment building at Hurst Place and Park Street is not in favour of any downzonings for this property, which he felt would reduce the property value. He stated he considered the lands, which are currently zoned "E-3" High Density Residential, are an appropriate location for a high-rise at some future date, to replace the existing 3-storey building, due to their proximity to the downtown and to other high-rise buildings.
- Tracey Van Sickle, resident, Hurst Place Apartments feels that these apartments should be retained and upgraded, or else replaced with similar low-rise structures, to provide well-maintained affordable housing for families.
- Peter Hill, 312 Bay Street South said that it is felt that there is already sufficient high-density development in Durand, and that new buildings should be encouraged mainly in the other three quadrants of the Central Area.
- Howard Mark, 150 Markland Street suggested that new residential development, including apartment buildings in Durand, should be limited to the amount which can be accommodated by the space and services available. He feels that any downzonings which may be recommended, may result in financial losses for the owners, but that these should be absorbed by the owners, as would the financial benefits of any other rezonings be absorbed.

- A resident (no name provided)
 said that it is necessary to restrict areas of redevelopment, and
 desirable to direct new high-rise buildings to areas outside of
 Durand. Alternatively, older low-rise buildings should be renovated.
 This resident also noted the need for moderately-priced housing, such
 as has been provided by units at Duke and Bold Streets. These units
 are to be upgraded with provincial funds, which should also be used
 for other low-rise projects.
- R.B. Chown, 15 Stanley Avenue felt that the Plan was overly restrictive of new growth and development. He felt that controls such as those for Heritage Conservation, and the possible zoning curbs, might deter development in this core area neighbourhood.
- John Kane, 199 Hess Street South noted that his property was downzoned twice at the time of the adoption of the original Durand Neighbourhood Plan in 1974, from "E-3" to "D-3". He asked how and why this occurred, and what the rights of property owners are in such a case.
- Andrew Moranco, corner of Hess and Bold Streets asked what the final recommendations of the current High Density Development Study would be.

Planning Department Response to Submissions re High Density Residential

The lands in the block bounded by Hurst Place, Bold, Park and Charles Streets are currently designated in the Durand Neighbourhood Plan for Medium Density Apartments. This designation has been in existence since the original Durand plan was approved in 1974, and the proposed plan involves no changes in this designation. The zoning for these lands is "E-3", High Density Multiple Dwellings.

This is one of many instances throughout the City in which the neighbourhood plan designation varies from the zoning designation. This can occur since the former is the long term preferred use for the lands, rather than the use which is currently permitted. The Durand Neighbourhood Plan review has confirmed that medium density residential is the appropriate use for these lands, for the foreseeable future, following consideration of such factors as the heritage buildings and proposed Heritage District immediately to the east and the current condition of the Hurst Apartments. These units are to be upgraded with provincial funds, which should also be used for other low-rise projects.

The current High Density Development Study will review in greater detail the optimum density for all lands in the Central Area which are currently zoned for high density. This study may or may not result in recommendations for rezoning of such lands. The study is also anticipated to provide recommendations concerning the potential for modifying the height, setbacks and other specifications for redevelopment, to achieve similar densities by using variations on the standard high rise form.

There were several zoning by-law amendments approved by City Council following the approval of the original Durand Neighbourhood Plan in 1974. These included the lands at 199 Hess Street South, as well as several other blocks. The purpose of these rezonings was to implement the proposed land use plan, which was prepared to give guidance to the most appropriate types of new development. Zoning by-law amendments are approved by the Planning Committee and Council only after circularization of all residents within a 400 ft. radius. Normally, these are done at the request of the property owner.

Traffic Study and Traffic Issues

The following residents commented with regard to the need for an overall traffic study for Durand, and regarding specific traffic issues:

- Russell Elman, 245 Bay street South said that there is a need for a systematic study of the overall traffic needs in the neighbourhood to deal with problems such as high traffic volumes on certain streets.
- Peter Hill, 312 Bay Street South noted that an overall traffic plan is needed as part of the neighbourhood plan.
- Bill McCraken, 64 Charlton Street West said that high traffic volumes are a problem on Charlton Street, and that very careful plans need to be carried out to address this problem.
- Mr. Percy Farell, 187 Park Street noted several traffic concerns, such as the traffic associated with the construction of the Garrrison apartment building on Robinson Street, and the traffic hazards associated with one-way streets.

Planning Department Response re Traffic Study and Traffic Issues

The proposed Durand Neighbourhood Plan recommends that a comprehensive traffic study be done to determine methods of improving the neighbourhood's transportation system, and especially for reducing through traffic. This is recommended due to the numerous traffic issues raised by the Durand Neighbourhood Plan Advisory Committee, including volumes of through traffic which are felt to be high parking supply, pedestrian needs, etc. The Traffic Department, whose comments are provided in this report, have done a preliminary assessment of the need for these studies, and the human resources required to carry them out.

Parking

Comments and submissions concerning the issue of parking include the following:

- Mr. Robert Kreismanis, 148 Duke Street feels that the opinions of affected property owners should be given great consideration in regard to proposed policies and regulations concerning front yard conversions for parking.
- Tracey Van Sickle, Hurst Place Apartments stated that more parking should be considered for Durand.
- Mr. Percy Farell, 187 Park Street noted the need to provide adequate parking.
- Mr. Mike Henewick, 150 Bay Street South spoke about the issue of adequate parking for apartment tenants. He said that adequate parking is provided for the residents of this building, which he owns, and parking is also provided for other local residents. He felt that sufficient parking would be provided if development was better controlled. He noted that some of the buildings which are converted to office space in the area provide no parking.

Planning Department response re Parking

The Durand Neighbourhood Plan proposes a number of further studies to be carried out to assess and help improve various types of parking issues. These include on-street and off-street parking supply, parking for apartment buildings, and front lawn conversions for parking. It should be noted that some types of commercial and residential uses within the Central Area, including parts of Durand, are exempt from the need to provide any parking, or full parking, according to the existing zoning by-law.

Pedestrian Facilities

The following comments were received concerning the need for improved pedestrian facilities:

- Tracey Van Sickle, Hurst Place Apartments agrees with Plan policies which recommend that additional walkways be provided. She also agrees that Park Street should be considered for a pedestrian priority area.
- Mrs. Delores Marks said that she was very concerned with the condition of the pedestrian underpasses at the T.H. & B. rail line on James Street South, including problems such as birds and refuse.

Parks and Open Space

The following residents made submissions concerning the issue of parks and open space, including future plans for Durand Park:

- Henry Board, 89 Robinson Street stated that the two homes within Durand Park should be retained for residential use, rather than acquired for additional parkland. He feels that they add character and visual interest to the Park. He feels that most users of this park do not need wide-open spaces for active recreational pursuits, since other parks in the vicinity provide this.
- Tracey Van Sickle, Hurst Place Apartments agrees that additional parks should be provided in Durand with Plan policies.
- R. B. Chown, 15 Stanley Avenue feels that extensive green areas or open spaces are more appropriate in a tourist area than in a major employment centre such as Hamilton.
- Carl and Brigita Dimitriou, Merle Nelson, 130, 132 and 136 Bold Street said that a parklike atmosphere should be maintained through the whole of Durand Neighbourhood, by such means as tree plantings. They felt this would be more beneficial and safer than having little pockets of parks, such as alleyways. They feel that it is financially impractical to have more parks in Durand.
- Mrs. Isbestor, 316 James Street South says that she is very surprised by the lack of green space in Durand.

Planning Department response re Parks and Open Space

The Durand Plan contains several possible approaches for provision of additional parkland and open space. The two residences within Durand Park will remain designated for parkland and this designation will be reassessed and reviewed with citizens of the neighbourhood prior to the acquisition of these homes.

Parkettes created by Intersection Closure

- Mr. R. Hutchinson, 207 Caroline Street South is in favour of the closure of the intersection of Caroline and Robinson Streets, as suggested in the proposed plan. The purpose of this closure would be to create a parkette or small park area, to provide additional needed park space, as well as reducing through traffic volumes on these streets. Mr. Hutchinson feels that this closure would reduce the existing high accident rates on these street sections. He feels that even the installation of a stop sign here would be an improvement. A petition of 72 signatures from residents in the vicinity of Caroline and Robinson Street was received, indicating support for this closure.

- R. B. Chown, 15 Stanley Avenue is not in favour of the creation of parkettes by means of road closures. He feels that road closures have not helped the area in the vicinity of Gore Park. He feels that it would be undesirable to have traffic from closed streets funneled into other areas.

Planning Department response re Parkettes

The issue of parkettes has been addressed previously, in regard to the comments of the Traffic Department. These road closures are suggested as a possible approach to undergo further detailed study prior to implementation.

Citizen Participation

- R. B. Chown, 15 Stanley Avenue feels that citizens should be told in advance the anticipated cost for the improvements contained in the Plan. He feels that citizens, especially tenants, would want to see the associated increase in property taxes.

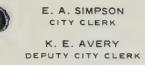
He also stated that the members of the Durand Neighbourhood Plan Implementation Committee should be selected in a manner which is representative of overall neighbourhoods, and especially of those who will be carrying the burden of any increased taxes.

CONCLUSION

The final draft of the Durand Neighbourhood Plan -- 1987 Update has been modified as much as possible to reflect the numerous submissions received from municipal departments and the public. The plan attempts to provide a balanced approach to resolving planning issues within Durand, by means of detailed policy guidelines and suggestions for studies and other actions, some of which require further study prior to implementation.

VG:CS Encl.







Tilinan

CITY HALL HAMILTON, ONTARIO L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1987 December 3

MEMORANDUM

To: Chairman and Members of

the Planning and Development Committee

From: Susan K. Reeder, Acting Secretary

Planning and Development Committee

Re: Schedule of Meetings for 1988

I am attaching herewith the Schedule of the Planning and Development Committee meetings for 1988.

I trust that this is of assistance to you in your scheduling for 1988.

SKR:jf

Attach.

c.c. Mr. L. Sage, Chief Administrative Officer

c.c. Mr. D. Carson, Executive Assistant to the Mayor

c.c. Mr. E. A. Simpson, City Clerk

c.c. Mr. K. E. Avery, Deputy City Clerk

c.c. Mr. J. Schatz, Manager of Legislative Services

c.c. All Department Heads

c.c. All Committee Secretaries

c.c. Aldermen's Secretaries



PLANNING AND DEVELOPMENT COMMITTEE

SCHEDULE OF MEETINGS FOR 1988

STAFF AGENDA** REVIEW MEETING	COMMITTEE** MEETING
January 7	January 13
January 21	January 27
February 4	February 10
February 18	February 24
March 3	March 9
March 24	March 30
April 7	April 13
April 21	April 27
May 5	May 11
May 26	June 1
June 23	June 29
July 21	July 27
August 25	August 31
September 8	September 14
September 22	September 28
October 6	October 12
November 3	November 9
November 24	November 30
December 8	December 14
	January 7 January 21 February 4 February 18 March 3 March 24 April 7 April 21 May 5 May 26 June 23 July 21 August 25 September 8 September 8 September 22 October 6 November 3 November 24

Reports MUST be submitted to the Secretary no later than 12:00 o'clock noon

^{**} Staff Agenda Review Meetings are held in Room 264 at 10:00 o'clock a.m., unless otherwise advised

^{***} Committee meetings are always held at 2:00 o'clock p.m. in Room 233, unless advised otherwise





THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Planning and Development Department 119 King Street West, 14th floor Hamilton, Ontario Mailing Address: P.O. Box 910, Hamilton, Ontario L8N 3V9

December 30, 1987

25T-87052

Refer to File No
Attention of
Your File No.

Regional Assessment Department
The Librarian, Hamilton Public Library /
Commissioner of Public Works
Director of Culture and Recreation
The Postmaster, Main Post Office
Cable T.V.

Dear Sir:

Re:

File No. 25T-87052

Subdivision Name: Eleanor Heights Addition Owner: Steinnagel Construction Limited Surveyor: A. J. Clarke and Associates

Surveyor: A. J. Clarke and Associates Location: Lot 27, R.P. 853, City of Hamilton

The Planning and Development Committee has under consideration the above proposed plan of subdivision, the location and layout of which is indicated on the attached plan. Would you please advise me of any representation you may wish to make concerning this plan of subdivision.

Yours very truly,

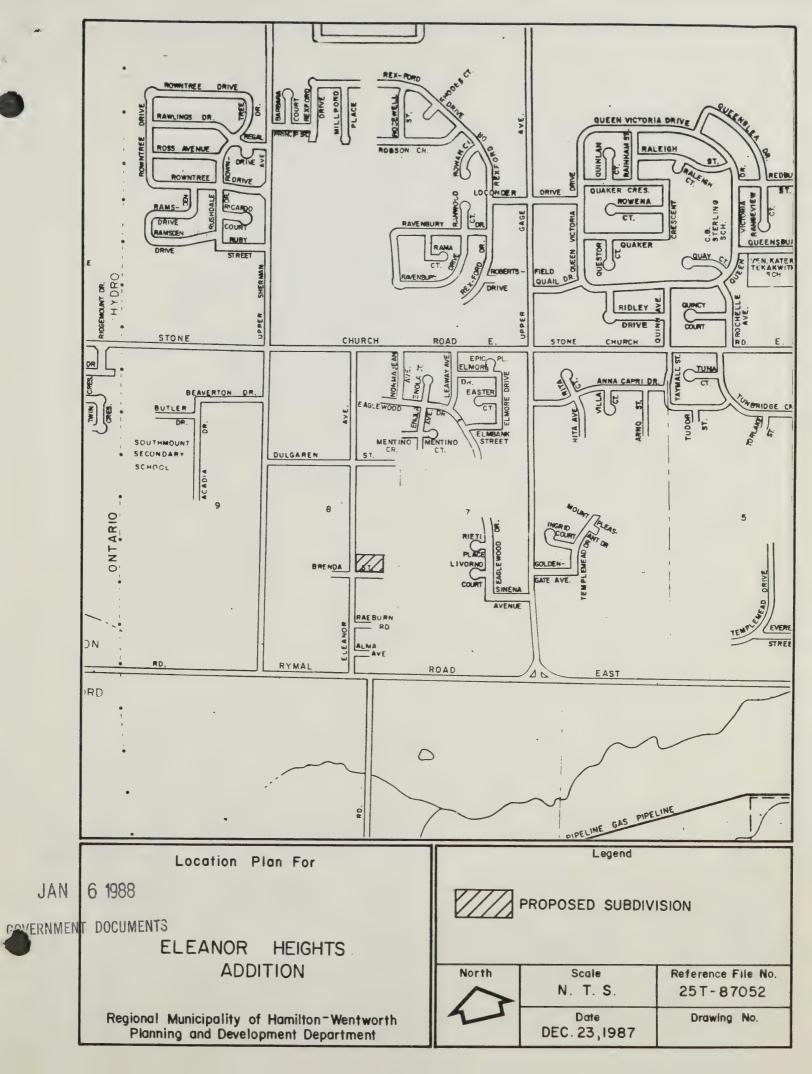
J. A. Gartner, M.C.I.P.

Director,

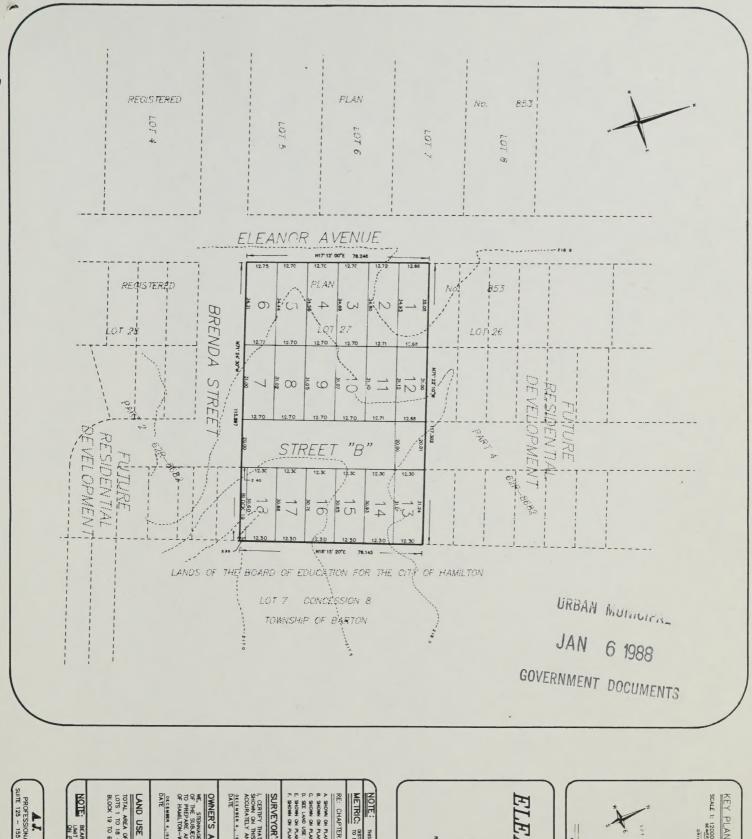
Regional Planning Branch

Encls.







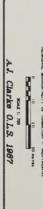


A.J. Clarko and Associates
"ESSIONAL ENGINEERS & ONTARIO LAND SURVEYORS
15 - 155 JAMES STREET SOUTH - HAMILTON - ONTARIO LAP

OWNER'S AUTHORIZATION:

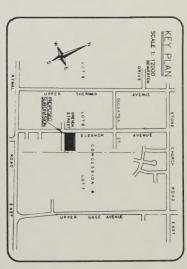
WE STENNAGE CONSTRUCTION LIMITED
OF THE SUBJECT LANDS HEREBY AUTHO
TO PREPARE AND SUBMIT THIS DRAFT THIS ORAFT
OF HAMILTON—WENTWORTH FOR THEIR A LAND USE SCHEDULE:

TOTAL AREA OF SUBDINSON = 0.888 HA (2.195 ACRES)
LOTS 1 TO 18 - SURGLE FAMILY SUBDING LANGS
BLOCK 19 TO BE DEVELOPED WITH ADJOHNING LANGS DATE SURVEYOR'S CERTIFICATE: , CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PALM AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN. CHAPTER 349-R.S.O.-1980 SECTION 36(1) THE PLANNING ACT IGS ARE ASTRONOMIC AND REFERRED TO THE EASTERN
OF ELEANOR AVENUE ON A COURSE OF N17°12'E AS SHOWN BEING THE REGISTERED OWNERS
ZE A.J. CLARKE AND ASSOCIATES
AN TO THE REGIONAL MUNICIPALITY



REGISTERED PLAN No. 853 CITY OF HAMILTON

ANOR HEIGHTS DRAFT PLAN OF





25070	YELLOW/JAUNE	BY2507
25071	BLACK/NOIR	BG2507
25072	BLUE/BLEU	BU2507
25073	R. BLUE/BLEU R.	BB2507
25074	GREY/GRIS	BD2507
25075	GREEN/VERT	BP2507
25077	TANGERINE	BA2507
25078	RED/ROUGE	BF2507
25079	X. RED/ROUGE X.	BX2507

MADE IN CANADA BY/FABRIQUÉ AU CANADA PAR ACCO CANADIAN COMPANY LIMITED COMPAGNIE CANADIENNE ACCO LIMITÉE TORONTO CANADA

